G. R. S. IX-5]

*Previous references.*

**File No.** 1-

~~191~~ .

**Serial Nos.**

( Court )

*Later references.*

Ap 102-23(6-9)

# GENERAL AND REVENUE SECRETARIAT.

---

*Serial Nos.* 1-69

In ~~Part~~-B for Aug. 1892

---

SUBJECT.

Reduction of fees for the execution of warrant issued under the breach of Contract Act-1

---

The Secretary to Govt., Legislative department.

no. 3024/J.T. 66-92 dated 22-8-1892

Sl. no. 69.

Drawing attention to the Dewan's reply to the representation of the Northern Mysore Planters' association in regard to the working of Sec- XIII of 1859.

W.D.88—GPB—50,000—24-7-18

J.I 67-92

GOVERNMENT OF INDIA

1901

(69)

Subject No 37

Act XIII of 1859 and reciprocity in the matter of Extradition and registration of Cooly Dafadars.

Summary of discussion.

Mr: Digby Brett on behalf of the Northern Mysore Planters' Association said that he had been specially desired to refer to the working of Act XIII of 1859 and spoke to the following effect:—

On two previous occasions Messers Graham Anderson and Clifford ably stated the case for the Planters and the Government promised to inquire into the matter and what could be done to remedy their difficulties. But nothing seemed to have been done and Planters were still, as regards the working of this Act, in much the same position as in 1888 when Mr. Graham Anderson first asked assistance from the

Government. The refusal of the Government of India to allow the Extradiction Act to apply to defaulting recruits and Coolies placed Planters at a great dis-advantage If they desired to obtain labour from British Territory, they were obliged to incur great risks, and annually large sums of money were lost in advances. The result of this from the Planters' point of view was a direct encouragement to commit fraud and it further tended to demoralise the labouring classes in British Territory bordering on the Impore State, for, the necessities of Planters' were well known as well as their helplessness, should the Labourer fail to fulfil his Contract. Again, the Rules for the Official registration of Duffadars which at the request of the Supreme Government had

been recently passed by the Govern-
-ment of H. H. The Maharaja
of Mysore materially assisted
the non-residents of Mysore; but
to Planters in Mysore they were
of little or no assistance. Similar
registration within British Territory
would be of some avail to the Mysore
Planter but even to this small
extent reciprocity has been refused.
Mr. Brett then went on to say "under
" the enlightened Government of
" H. H. the Maharaja of Mysore,
" assisted by very able Administrators
" the State of Mysore is by every
" one admittedly well-governed, and
" it therefore seems a curious anomaly
" that the Supreme Government
" should withhold that degree of
" confidence which would justify
" the Mysore State being en-
" trusted with the necessary discretionary
" powers. On the other hand assistance

is freely given not only to our own Colonial possessions but to any Foreign Power indenting on India for a share of its surplus labour.

The Associations of Southern India are about to combine and petition for alterations in Act XIII of 1859, but pending such revision of the Act; may I point out to the Government of Mysore that it would be a great assistance, if the Appealate and Revisionary Courts would consider the position of Planters as regards distance, time and seasons, and oblige the local Magistracy under proper Supervision to exercise the discretion, which the Spirit of the Act permits according to the circumstances of each case. The punishments now awarded are much below the limits allowed by the Act and do not act as a preventive of fraud but rather the contrary; as the defaulting

GOVERNMENT PRESS

a labourer sees how easily he can,
at a minimum of personal
discomfort escape with our money
in his pocket. I have now shortly
stated our case as regards the diffi-
culties in this question. Necessarily
time is limited and I have been
obliged to omit many points
of detail but I would ask the
Government of H. H. the Maharaj
of Mysore to make a fresh appeal
to the Supreme Government and
I would suggest that as compared
with other Native States in India
Mysore, having a large resident —
European Community engaged
in a special industry, has,
among other reasons, a claim
for exceptional consideration."

Dewan's reply. The Durbar will again approach the Government of India

on the subject of this representation and will with pleasure ask the Government of India to concede reciprocity in cases arising under Act XIII of 1859. and thus to place the large Planting Industry of Mysore on a footing of equality as regards supply of labour and facilities for the enforcement of labour Contracts.

The Durbar will also submit to the Government of India for favourable consideration the question of adopting in British Territory rules similar to those which have been introduced into Mysore for the registration of Coolg Agents. If the combined efforts of Planters' Associations in Southern India succeed in securing for them an improved and more satisfactory Enactment for the enforcement of Labour Contracts, the Durbar will be prepared at once to adopt the same with

Such modifications as the local circumstances may render desirable. In the meanwhile the representations now made will be brought to the notice of the Chief Court with a view to every consideration being given to it and the necessary steps being taken to ensure an efficient working of the Act XVII of 1859 as it stands, by the issue of such instructions for the guidance of the Magistracy, as may be called for from time to time.

---

(General Serial No. 31.)

188

From Read letter No 1782 of 12/11/88

To June 1886. from the Secy to the Ch: Commr of Coorg regarding fees to be levied for the execution of warrants issued by Magistrates in Coorg under Sec: 2 of Act XIII of 1859. and Enclosures.

Dated

Despatched

Received

Enclosures No.

General No. No.

Ref: as per order of the C.C. of Mysore No: 7291 of 149 12th January 1880 (in Sections) forwarded by the Govt of Mysore No: 342 of 26th March 1884 & order thereon -

There seems to be some misapprehension whether warrants issued

Ch: Secy

2. Warrants issued by Magistrates in the Madras Presy or Coorg under Act X III of 1859, other than those under Section 2 of that Act must as heretofore be accompanied by a fee of Rs 4 for each person whose arrest & delivery is required, for defraying all charges incurred within Mysore of the subsistence & escort of the Convict person. When any such warrant remains unexecuted, & a second or succeeding warrant for the arrest of the same person will be executed in Mysore free of charge -

by

16/11/88

Ch: Secy

by the Govt Magistracy under Sec: 2 of Act XIII of 1883 & applicable to Warrants issued in Bolipy Sec: 342 of 26th March 1884. This Bolipy was never intended to exempt from further charge the accused & executing warrants in cases in which the first warrant executed was executed. But it did not cancel Order Sec: 7291/149 of 12th Jany 1880 read above which refers to warrants of a particular kind namely those issued under Sec: 2 of Act XIII of 1883 e.g. those issued to arrest & commit to prison the accused for disobedience of the first order directing him to work. This order of

The attention of all Magistrates in Mysore will be drawn to the orders contained in the late C.C.'s Procs. No. 7291/149 of 12 January 1880. These orders are still in force and [illegible] under them "warrants or other processes issued under S. 2 of Act XIII of 1883 for the apprehension of accused parties who may have failed to comply with an order of a Magistrate issued under that Section & Act must be executed free of cost in Mysore in accordance with arrangements made in late C.C.'s Order No. 8761/2-12 of 21 January 1879 relating to the execution of Criminal processes issued by Courts [illegible]

It will be noted that these arrangements have been and afterwards extended to Processes issued by Courts in Coorg by Order No. 7201

EXTRACTS FROM MYSORE

Gb 1-78-1 (71)

Notification.

No: 112

Dated the 23rd July 1878.

Under the authority of His Excellency the Viceroy and Governor General in Council, the Chief Commissioner declares that—

1. All decrees of any Court established in British India, which cannot be executed within the jurisdiction of the Court by which it was made, may be executed in the manner provided by Sections 223-228 of the Code of Civil Procedure, within the jurisdiction of any Court in Mysore.

2. That all processes of whatsoever description issued by any Civil Court in British India, may be acted upon and executed by all Courts in Mysore, as if such process had been issued by a Court having jurisdiction in Mysore.

---

"By order"

/Sd/ T. Clarke.
Secretary.

Copied from the Mysore Gazette. Page 196 dated 27th July 1878.

True copy.
S.H. Bride
Assistant Manager.

Copd.
.RH

Pls. 1-78-2

*Proceedings of the Chief Commissioner of Mysore, Judicial Department,*
*21st January* 1879.

From the Secretary to the Chief Commissioner of Mysore, To the Chief Secretary to the Government of Madras, Ootacamund, G. No. 5825—J. 35.

In annexing copy of a letter addressed to this Office by the District Magistrate, Nilgiris, on the 29th August last (which should more conveniently and regularly have been sent to the Madras Government), I am desired to communicate the views of the Chief Commissioner on the several points on which information is sought by that officer, in order that the Government of Madras may be in a position to issue the necessary instructions to the Magistrates and other officers concerned in the Madras Presidency.

2. In answer to the first enquiry, *viz.*, whether summonses and warrants issued by Magistrates in the Madras Districts for execution in Mysore may be sent direct to Magistrates and Police Officers by post, I am to state that all such processes may be sent in the manner stated, direct to the Magistrates of Districts or Taluks in Mysore accompanied by postage labels sufficient to cover the cost of return postage.

3. Warrants, other than those issued under the provisions of Act XIII of 1859, will be executed by Police Officers in Mysore, and the persons arrested under such warrants will be conveyed by them to the frontier and handed over to the nearest Police-station within British Territory. The Chief Commissioner assumes that arrangements will be made to receive all prisoners so delivered. In these cases the Mysore State will bear the cost of batta to the prisoners, and of the guards required to escort them to the frontier.

4. In regard to the execution of warrants issued under Act XIII of 1859, special provision will be necessary for the removal of prisoners, and in order to meet the cost of batta and escort thus involved, the Chief Commissioner proposes that each warrant should be accompanied by a remittance of Rs. 7 (seven). The actual cost incurred may be more or less than this sum, which as representing however a fair average might be suitably fixed for all cases alike, so as to obviate the necessity of adjustment on account. I am desired to ask whether His Grace the Governor in Council is prepared to accept this arrangement in order that instructions in accordance therewith may be issued to the Magistrates in this Province.

---

From the Acting Chief Secretary to the Government of Madras, To the Chief Commissioner of Mysore, Judicial Department—Processes—No. 3555—A., 18th December 1878.

I am directed by His Grace the Governor in Council to acknowledge receipt of Major Clarke's letter, dated 28th October 1878, No. 5825—35, intimating the arrangements made for executing in Mysore warrants and other process issued by Magistrates of Madras Districts, and to convey the thanks of this Government for your good offices.

2. The arrangements made by you are quite satisfactory to this Government, and the necessary instructions have been issued to the officers concerned.

---

No. 8761—Judl. 12, dated Bangalore, 21st January 1879. Original not found

Order.—The arrangements proposed by the Chief Commissioner for the execution in Mysore of warrants and other processes issued by Magistrates in the Madras Presidency having been accepted by the Madras Government, the following instructions are issued for information and guidance:—

I. Warrants and other processes issued by Magistrates of Madras Districts for execution in this Province, and addressed by post to the Magistrates of Districts or Taluks in Mysore, will be accompanied by postage labels to the amount sufficient to cover the cost of return postage. When unaccompanied by any remittance, the warrant or summons will, after being duly executed, be returned by post "Bearing."

II. Warrants, other than those issued under the provisions of Act XIII of 1859, will be executed by Police Officers in Mysore, and the persons arrested under such warrant will be conveyed by them to the frontier and handed over to the nearest Police-station within British Territory,

Faired from my corrt draft dtd. 5.9.C.

Mysore Commr's Office
Bangalore, 28th Oct. 78

Gen. No. 5825
J. 35

To
The Chief Secretary to the
Govt. of Madras,
Ootacamund

Sir.

In annexing copy of a letter addressed to this Office by the Dt. Magistrate, Nilgris, on the 29th August last (which should more conveniently and regularly have been sent to the Madras Govt.), I am desired to communicate the views of the Mysore Commr. on the several points on which information is sought by that officer, in order that the Govt. of Madras may be in a position to issue the necessary instructions to the Magts. and other officers concerned in the Madras Presidency.

(Sd) J. D.G. 29/10.

2. In answer to the 1st. enquiry viz whether summonses and Warrants issued by Magts in the Madras Dts for execution in Mysore may be sent direct to Magts and Police officers by post, I am to state that all such processes may be sent in the manner stated, direct to the Magts of Dts or Taluks in Mysore, accompanied by postage labels sufficient to cover the cost of

return postage.

3. Warrants, other than those issued under the provisions of act XIII of 1869, will be executed by Police officers in Mysore, and the persons arrested under such warrants will be conveyed by them to the frontier and handed over to the nearest Police Station within British Territory. The Chief Commissioner assumes that arrangements will be made to receive all prisoners so delivered.

In these cases, the Mysore State will bear the cost of batta to the prisoners, and of the Guards required to escort them to the frontier.

4. In regard to the execution of Warrants issued under act XIII of 1869, special provision will be necessary for the removal of prisoners, and in order to meet the cost of Batta and Escort thus involved, the Chief Commissioner proposes that each warrant

should be accompanied by a remittance of Rupees 7 (Seven). The actual cost incurred may be more or less than this sum which as representing however a fair average might be suitably fixed for all cases alike, so as to obviate the necessity of adjustment on account. I am desired to ask whether His Grace the Governor, in Council is prepared to accept this arrangement, in order that instructions in accordance therewith may be issued to the Magistrates in this Province.

I have
&c
(Sd) T. G. C.
Secretary

1878.

Rev 33.

To.

The Chief Secretary
to the Govt: of Madras,
Ootacamund.

Dated 28 Oct.

Descpn Regd Nov 18

Encls: 1 copy of letter

Rec'd No 5825
J. 35

Communicates the views of the Chief Comm.r on the several points on which information is sought by the D.t Magte, Nilgiris, in his letter No 1198/29 Augt last, in order that the Govt: of Madras may be in a position to issue the necessary instructions &c

Govt: of (1878) Madras.
Judicial
To, The Ch: Commr of Inyore

Dy Decr 18th
Issued.
Recd.

Endor:

---

G.O. 18 Decr 78 N° 2555 A.

---

December
N° 120 A.

---

Proceps Stating that the arrangements made for executing in Inyore warrants and other process issued by Magistrates of Madras districts are quite satisfactory to this Govt: & thanking the Ch Commr for his good offices.

Judicial Department

Processes

No. 2555 A.

To, The Chief Commissioner of Mysore

Sir,

I am directed by His Grace the Governor in Council to acknowledge receipt of Major Clarke's letter, dated 28th October 1878, No. 5825-35. intimating the arrangements made for executing in Mysore warrants and other process issued by Magistrates of Madras Districts, and to convey the thanks of this Government for your good offices.

2. The arrangements made by you are quite satisfactory to this Government, and the necessary instructions have been issued to the officers concerned.

I have &c.

Sd C. G. Masters

Offg: Ch: Secy

Fort St. George

18th Decr 1878.

I
1896

(General-Serial No. 30.)

0 4414
108

1896. 2

From. From The Offg Chief Secty Fort St. George.

To To The Registrar of Mysore

Dated 21 Dec 18

Despatched

Received 30

Ref. No. 44/79. Enclosures No. 5 S.C.

General No. 2555A.
No.

Expressing satisfaction of the arrangements in regard to service of Processes in Mysore.

In letter to Madras this reply may be read in Pro: printed & communicated with instructions to the Judl. Comrs. Coorg and all Magistrates.

J. Q. C.

10/

(4)

1879

GOVERNMENT OF MYSORE.

JUDICIAL.

To

THE JUDICIAL COMMISSIONER.
" COMMISSIONERS OF DIVISIONS.
" DY. COMMISSIONERS OF DISTRICTS.
" INSPECTOR GENERAL OF POLICE.
" DY. ACCOUNTANT GENERAL.

*Dated March* 31st

*Despatched*

*Received*

No. 12298.
Judl 218.

Directing that the charge of Rs. 7 fixed for the arrest of persons of Her Majesty's Territories in Mysore under Act XIII of 1859 should not be refunded, if the accused be not found or dead.

Mysore Govt. Press, Bangalore

*Proceedings of the Chief Commissioner of Mysore, Judicial Department,*
*31st March* 1879.

READ—

Letter No. 4208—431, dated 19th March 1879, from the Judicial Commissioner forwarding for orders copy of letter No. 382 of the 14th instant, and of its enclosure, from the Commissioner, Ashtagram Division, requesting instructions whether the 7 Rs. charged for executing warrants issued by the Police or Magistrates in Her Majesty's Territories under Act XIII of 1859, should be refunded when the persons to be arrested are either dead or are not to be found.

No. 12298—JUDL. 218, DATED 31ST MARCH 1879.

ORDER THEREON.—The charge of Rs. 7—0—0 for each accused person for whom a warrant is issued is an average to cover all cases whether the actual cost be greater or less. When therefore the person cannot be found the charge nevertheless is made, and should not be refunded.

W. J. CUNINGHAM,
*Offg. Secretary.*

To—The Judicial Commissioner.
" Commissioners of Divisions.
" Deputy Commissioners of Districts.
" Inspector General of Police.
" Deputy Accountant General.

Pb. 1-78-6

JUDICIAL DEPARTMENT.

**Warrants.**

No. 1183.

To

THE CHIEF COMMISSIONER OF MYSORE.

SIR,

I am directed by His Grace the Governor in Council to forward, for your consideration, copy of a letter from the Honorary Secretary to the Wynad Planters' Association, stating that the fee of seven rupees fixed for the execution in Mysore of warrants issued by Magistrates in the Madras Presidency under Act XIII of 1859 is too high, and to request that you will inform this Government whether, on the representation of the Wynad Planters' Association, you see any reason to reduce the amount of Rupees 7 as suggested in their letter.

I have the honor to be,
Sir,
Your most obedient servant,

*Acting Chief Secretary.*

OOTACAMUND,
20*th May* 1879.

*From G. L. YONGE, Esq., Honorary Secretary to the Wynad Planters' Association, South Wynad, to the Acting Chief Secretary to Government, dated Vyteri, 23rd April* 1879.

The Deputy Collector of Wynad has furnished this Association with a copy of the Proceedings of Government, No. 2555, dated 18th December 1878.

2. I am directed by the Committee to bring to the notice of His Grace the Governor in Council that they are at a loss to understand how such a large expenditure as Rupees 7 can be required for the serving of a warrant in the Mysore territory. This sum was the process fee originally instituted, but which was subsequently considerably modified, and the Committee respectfully protest against a return to what is in fact a prohibitory rate.

3. In the case of an absconding cooly a warrant can be obtained to Palghat or Coimbatore, districts which may fairly be named as equi-distant from Wynad with Mysore, for one rupee, and the Committee cannot but think that an extra fee of one rupee for the execution of warrants in Mysore would be ample to meet any reasonable charges that may become payable.

4. I am desired to point out that, whilst the average advance which is made to a Mysore cooly for ten months' work in the Wynad rarely exceeds five or six rupees, the process fee was levied at over more than double the cost to the Planter of an absconding cooly, whilst it by no means ensures his arrest and return to the estate.

Exd. J. Wright.

# Govt. of (1879) Madras.

## JUDICIAL.

*To*

THE CHIEF COMMISSIONER OF MYSORE.

*Dated May, 20th.*

*Issued*

*Recd.* 11 June/79 *Encl.*

## MAY.
## Nos. 225—227.

*Warrants.*—Letter addressed to Chief Commissioner of Mysore, requesting that this Government may be informed whether on the representation of the Wynad Planters' Association the Mysore Government see any reason to reduce the fee of Rupees 7 fixed for the execution in Mysore of warrants issued by Magistrates in the Madras Presidency under Act XIII of 1859.

From the Acting Chief Secretary to the Government of Madras, Judicial Department, To the Chief Commissioner of Mysore, No. 1183, dated Ootacamund, 20th May 1879.

I am directed by His Grace the Governor in Council to forward, for your consideration, copy of a letter from the Honorary Secretary to the Wynad Planters' Association, stating that the fee of seven rupees fixed for the execution in Mysore of warrants issued by Magistrates in the Madras Presidency under Act XIII of 1859 is too high, and to request that you will inform this Government whether, on the representation of the Wynad Planters' Association, you see any reason to reduce the amount of Rupees 7 as suggested in their letter.

*From the Honorary Secretary to the Wynad Planters' Association, South Wynad, To the Acting Chief Secretary to Government, dated Vytcri, 23rd April 1879.*

The Deputy Collector of Wynad has furnished this Association with a copy of the Proceedings of Government, No. 2555, dated 18th December 1878.

2. I am directed by the Committee to bring to the notice of His Grace the Governor in Council that they are at a loss to understand how such a large expenditure as Rupees 7 can be required for the serving of a warrant in the Mysore Territory. This sum was the process fee originally instituted, but which was subsequently considerably modified, and the Committee respectfully protest against a return to what is in fact a prohibitory rate.

3. In the case of an absconding cooly a warrant can be obtained to Palghat or Coimbatore districts which may fairly be named as equi-distant from Wynad with Mysore, for one rupee, and the Committee cannot but think that an extra fee of one rupee for the execution of warrants in Mysore would be ample to meet any reasonable charges that may become payable.

4. I am desired to point out that, whilst the average advance which is made to a Mysore cooly for ten months' work in the Wynad rarely exceeds five or six rupees, the process fee was levied at over more than double the cost to the Planter of an absconding cooly, whilst it by no means ensures his arrest and return to the estate.

No. 2493—JUDL., 24 DATED BANGALORE, 19TH JUNE 1879.

ORDER.—The above is circulated for report from Deputy Commissioners giving the number of warrants of arrest under Act XIII of 1859 that have been received since the issue of Proceedings No. 8761—12, dated 21st January 1879, with the expenditure actually incurred in each case.

2. In case of Districts in which no warrants have been received, or in which the number received is so small as not to admit of a conclusion being drawn regarding the average cost of executing the same, the District Magistrate is requested to state what in his opinion, based upon such grounds as may be obtainable, would be the average cost of the escort and diet in conveying an arrested person from his District to the Wynad.

W. J. CUNINGHAM,
*Secretary.*

To—The Judicial Commissioner,
" District Magistrates.

1879.

# GOVERNMENT OF MYSORE.

JUDICIAL.

(6)

To

THE JUDICIAL COMMISSIONER.
„ DISTRICT MAGISTRATES.

*Dated June 19th.*

*Despatched*

*Received*

No. 2493.
24.

*Warrants issued by Magistrates of the Madras Presidency under Act XIII of* 1859 *for arrest of persons in Mysore.*—Communicating a letter and its enclosure from the Madras Government regarding the cost of executing the—

Mysore Government Press, Bangalore.—24-6-79.—50.

C. 1833.

1879.

From

To

Secretary to Chief Commissioner,
General Department.

Dated
Despatched
Received

**Enclosures No.**

General No. 582
No: 174 } 1879—80.

Awaiting other replies.

1879. C 1896

From The Deputy Commr
Kadur District

8

To
The Secretary to Chief Commissioner, of Mysore
General Department.

Dated 2nd
Despatched 3rd July
Received

Enclosures No. –

General No. 55 1879 –80.
No.

Sir,

Referring to Proceedings No. 2479 3 Jud. dated 19th June 1879 I have the honor to state that since the receipt of Proceedings No. 8761-12 dated 21st January 1879, no warrants of arrest under Act XIII of 1859 have been received for execution within this District.

2 As Wynaad is about

200 miles from this District the average cost of the escort and diet in conveying an arrested person will be Rupees 7-7-11 as shewn in the margin.

I have the honor to be
Sir
Your most Obed^t Serv^t

Nacey

Deputy Commr
Kadur District.

Distance to Wynaad about 200 miles.
No of days required for travelling at the rate of 15 miles per day 14 days
Cost of diet during journey &c. for 14 days at 2 Annas 2-2
Peon's diet ——— Rupees 1-14-4
Return ——— 5-9-7
One peon for 28 days at 6 Rs per month ——— 7-11-11

1879 & 1947

From The Deputy Commissr
Chittaldroog

To Secretary to Chief Commissioner,
General Department.

Dated 7 July 1879.
Despatched
Received

Enclosures No. /

General No. 633 } 1879–80.
No.

State that no Warrants
have been received
from the Wynaad
Dist. &c.

Answer letter replies,
and meanwhile the translation
ordered may be done
expressed to save time.
Send Return on 19th

10.7.79

Fit
for attn.
17.7.79.

Pl. 1-78.10

Chitaldroog District. 9.
Dy Commrs Office,
Chitaldroog 8th July, 1879.

No. 133.
Rs 1 To

The Secretary to the Chief Comr
General Department.

Sir,

In acknowledging the receipt of the Chief Commissioner's Proceedings No. 2493 dated the 19th Ultimo, I have the honor to state that no warrants of arrest under Act XIII of 1859 have been received for service in this District, from the Authorities in the Wynad. The enclosed statement shows the number of days which would probably be required to go to the Wynad from the several Head Quarters of this District and the probable Cost of dieting & guarding a prisoner en route.

2 Hulijar, Doodrug and Hernur are the Talukes from which Coolies generally go to the Coffee Districts and the average Cost of dieting & escorting a prisoner, Calculated in respect of these Talukes, Amounts to Rs 8-9-2, but if a prisoner was sent from each Taluk, the average Cost would amount to Rs 9-13-5.

I have the honor to be,
Sir,
Your most Obedient Servant
[illegible] K.S.
Dy Commissioner

Mra.

Statement Showing the Distance from the Head
District to Wynad, the road to be travelled and

| No | Head Quarters of Talooks. | Road. | No of Miles to the frontiers of Coorg appr: proximately |
|---|---|---|---|
| 1. | Huliyar — | Via. Banawar, Harnahalli, Hassan, Maharajandroog Mercara | 150 |
| 2. | Hosdroog. | Via, Huliyar, Banawar &c | 174 |
| 3. | Davengere | Via, Mayakonda, Holalkere Hosadroog, Huliyar, &c — | 230 |
| 4. | Heriyur — | Via, Huliyar, Banawar &c | 177 |
| 5 | Chitaldroog. | Via, Heriyur, Huliyar, &c | 201 |
| 6. | Jagaloor | Via, Chitaldroog, Heriyur Huliyar &c | 226 |
| 7. | Challakere | Via, Heriyur, Huliyar &c | 201 |
| 8. | Pavagada. | Via, Heriyur, Huliyar &c | 23 |
| | | Avge | 199 m |

Chitaldroog Dtt
Dy Commrs Office
Dy 8th July 1879

...ders of the several districts on the Pittadroog ...
...the probable cost of diet...ing and guarding a prisoner on the road.

| Probable number of days required to each destination | Probable cost of dieting a prisoner on the road, allowing 2 annas per diem. | | | Cost of guard i.e. the pay of a constable for the period required to go to and return from Wynad. | | | Remarks. |
|---|---|---|---|---|---|---|---|
| 15 | 1 | 14 | - | 6 | - | - | |
| 17 | 2. | 2 | . | 6 | 12 | 9. | |
| 21 | 2 | 10 | - | 8 | 6 | 5- | |
| 17 | 2 | 2 | - | 6 | 12 | 9. | |
| 19 | 2 | 6 | - | 7 | 9 | 6. | |
| 21 | 2 | 10 | - | 8 | 6 | 5- | |
| 19 | 2 | 6 | - | 7 | 9 | 6. | |
| 21. | 2 | 10 | -. | 8 | 6 | 5- | |
| | 18 | 2 | - | 59 | 15 | 7 | |

Asst. Surgeon H. B.
Dy Commissioner

Await Remainders sent on the 19th Inst:

21-7-79

1879. 2090

From The Deputy Commissioner Chanda District.

To The Secretary to Chief Commissioner, General Department.

Dated 16th

Despatched 17th July 1879.

Received 21st " "

Enclosures No. nil

General No. 67 / No. — | 1879-80.

Sir,

In reply to the Chief Commissioner's Order No 2493 dated 19th ultimo, I have the honor to report that no warrants under Act XIII of 1859 have been received in this District from the 1st January 1879.

2. There are, I believe, 20 stages between this and Manantoddy in the Wynaad, and if the expenses to be borne by Complainants be confined to the diet of prisoners alone, the amount required therefor may be calculated at Rs 3-12-0 at 3 annas a day.

3. But, I believe the Cost of the escort should also

be borne by those at whose instance the warrants are issued, in which case, Rs. 7/- seems to be fairly moderate.

I have the honor to be
Sir
Your most obedient Servant

W. Macdonnell
Deputy Commissioner
Trichinopoly Distt.

1879. Q 2088

From The Dy Commissioner
Tanjore district

To Secretary to Chief Commissioner,
~~General~~ Department.

Dated 18th July
Despatched
Received 19 " "

Enclosures No. one

General No. 96 } 1879-80
No. 11

Reports on the
Survey at the Inundation
in the Tanjore Province,
& Warrants Recd. from
the Madras Residency
under Act XIII of 1859.

Amount other papers.

19-7-79

No 9:96 — Bangalore District
Dy. Commissr's Office
18th July 1879.

To
The Secretary to the
Chief Commissioner
of Mysore
General Deptt.

Sir,

With reference to the Proceedings of the Chief Commissioner No. 2493 dated 19th ultimo, calling for a Report as to the number of warrants of arrest Recorded under Act XIII of 1859, with the expenditure actually incurred in Execution of the same since the issue of Proceedings No. 8761 dated 21st January 1879, I have the honor to state the following —

2- No warrants under Act XIII of 1859, from Wynad appears to have been received in this Office up to date

Looking to the distance to be travelled, which would occupy 9 or 10 days, diet expenses, exclusive of batta to Constables Escorting, and any Contingencies, such as Carriage, medicines &c^a required for Prisoners in case of illness, would amount to Rs 2-4 or 2-8, at 4 Annas per diem, or an average of Rs 5 in all for a Prisoner, to cover the expenses of his transit and Escort to the Wynad.

3- Since the issue of the said Proceedings of the Chief Commissioner, there have been received up to date, 6 warrants from the Magistrates of Coorg- Of this number, two were executed and two unexecuted- The remaining two are now in the Course of Execution-

4- The cost of diet of the two accused that were forwarded is Rs 2 3/4 while journeying

in this Province, and the cost of Escort may be calculated at about Rupees 5 a month for each of 2 Peons for 12 days. Two are necessary for each accused person. If the cost of diet alone is taken into consideration, 2½ Rs per head would appear to be a fair average in all cases.

5. The distance from the most Extreme part of the District to the centre of Coorg, which is about 150 miles, will, at 15 miles a day, involve a journey of 10 or 12 days—

6. It may be added that the fee of 7 Rupees fixed for the execution in Mysore of warrants issued by Magistrates in the Madras Presidency under Act XIII of 1859, is not too high; but is on the whole fair and reasonable—

I have the honor to be
Your most obt. Servt.

1879. 0 2179

The D'Commissioner
Nagapattinam.

To

Secretary to Chief Commissioner,
General Department

Dated 22nd September

Despatched July

Received 28th.

**Enclosures No. 6**

General No.
Judl No. 263 } 1879 — 80.

Forwards 2 statements of warrants received from Coorg and Wynaad and states that a case in which warrants being executed by a separate agency there remunerations will have to be taken into calculation when fixing the fees for such warrants.

Submitted as already ordered —

Amuntasamy Pillai
7-79

Jud. No: 263

Hapau District,
Deputy Commissioner's Office.
Camp Attikuppa 22nd July 1899.

To

The Secretary to the
Chief Commissioner,
General Department.

Sir,

With reference to the order of the Chief Commissioner No 2493 Jud. 24 I have the honor to send herewith two Statements, one shewing the particular of warrants received from Corg, and the other of those received from Wynaad

2-. It will be seen that from Corg 19 warrants were received, while from Wynaad 17 were sent for Execution these warrants fetched with them Rs. 252 in the aggregate-.

3-. Of the above number of warrants 20 were Executed - and the Cost of feeding the prisoners was 15-13-6 The actual saving is Rs: 236-2-6, which I must say is rather a large sum But in some instances the accused persons refused to receive batta Apart from this circumstance, there

figures would shew that the fee for such warrants may be reduced by about one half or three Rupees, a portion of the fee for the unexecuted warrants being returned to the respective Courts.

4— I beg to take this opportunity to forward herewith the marginally noted Correspondence, from which it will be seen that at one time such processes were executed by a special Establishment, the object arrived at being the relief of the overworked Police. If the Police were deemed overworked then, they are the more so now, as the Guarding of Treasuries has been also entrusted to them. It therefore requires to be considered whether such process are to be served by the Police or by a special agency. In the latter case, their remuneration will have to be taken into calculation when fixing the fee for warrants received from Her Majesty's Territories under the Breach of Contract Act.

I have the honor to be
Sir,
Your most obedient Servant

Willes Chamberlain
Offg Commissioner

*No: 52 dated 3rd August 1880 to Supt: Cullagoan District.
No: 286 — 25th November — do: ——
No: 1291 — 2nd December 1880 — do: ——
No: 1326 — 29th January 1881 — do: ——
} to be duly returned.

1879.80 0.2173.

-14-

25.1-78

13

from
The Justices Secretary to
Mysore
The Chief Secretary to
C. C. Mysore

Dated 23rd July 1879

No 1534
77.

States that from the
vacancy of the Sheriff
ordered No. 2493/24 of the
1st June 79 the Justices
understood that Deputy
Commissioners were asked
for a report with the matter
of the cost of executing
Warrants issued by the
Magistrates within their Province

Replies from Tumkur
Mysore, and Hassan
alone are due, meanwhile to save time,
the replies received
may be tabulated leaving room for those
not yet received.

Assistant Secretary
25-7-79

No: 1534/177

Bangalore 23rd July 1879.

From

J. D. Sandford Esquire
Judicial Commissioner
of Mysore

To

The Secretary to the
Chief Commissioner of Mysore
General Department

Sir,

In reply to your, remainder
Dis No. 3434/3 of the 21st Instant, I have the
honor to state that from the, reading of
the Chief Commissioners order No. 2493/24 of
19th June last, I understood that Deputy
Commissioners only were asked for a, report
and opinion, in the matter of the cost
of executing Warrants, issued by the Magis-
trates in the Madras Presidency, and that
such, report was to be submitted direct to
the Chief Commissioner. Hence I did

not

not take any steps in the matter -

I have the honor to be,

Sir,

Your Most Obedt Servant

J Bancroft

Judicial Commissioner -

RM

(15)

No. 700

Mysore Dy Comrs Office

Dated 29 July 1879

a/c

The Secretary to the
Chief Commissioner
---
Mysore
---
General Department

Sir

In acknowledging receipt of the Chief Commissioner's proceedings No. 2493 dated 19th Ultimo regarding the Cost of executing warrants under Act XIII of 1859, I have the honor to state that warrants were received in this Office since the 21st January 1879 and executed. One of them was executed before the Circulation of the order and of the 7 Rupees received therewith, Rs. 5-4- was paid to the special person who executed the accused and Rs. 1-12- for feeding the accused. The cost in each of the remaining three is given in the table below:—

1879. C 2232

From

The Deputy Commissioner,
Mysore District

To

Secretary to Chief Commissioner,
General Department.

Dated 29th July

Despatched

Received 30

**Enclosures No. 1**

General No. 700 } 187 —7 .
No.

Subject

Cost of executing warrants

Received from Mr Inscentore

=

Tabulate as already ordered -

Anantasamy 02
30-7-79

Replies taken - Reports &
Accounts - Remarks &

| | Hearing charges of | | | Pay of the Police Establishment recorded | | | Total | | |
|---|---|---|---|---|---|---|---|---|---|
| Executed by Asham Police | " | " | " | 1 | 8 | " | 1 | 8 | " |
| —— Do —— Mudduar Police | " | 5 | 8 | 1 | 9 | 8 | 1 | 15 | 4 |
| —— Do —— Yellandoor " | " | 8 | " | 2 | " | " | 2 | 8 | " |
| —— Total —— | " | 13 | 8 | 5 | 1 | 8 | 5 | 15 | 4 |
| Average | " | " | " | " | " | " | 1 | 15 | 9 |

2. Through a miscarriage in the Office or the loss of proceedings in one of the Assistants' Court (which of the two is now under enquiry) the order did not reach the police Department, the expenditure in executing the warrants procured direct by them and some Magistrates have Consequently been under the rules in force previous to the receipt of the new procedure viz paying the money or portion thereof over to the special peons holds off for the record and the batta of accused pertaining that unexpended to the Magistrate by post or by the party sent to identify and point out the accused whose apprehension

apprehension was applied for. This only came to light on the enquiry for the present report and has none been connected.

3. A statement of all warrants under act XIII of 1859 received in this District for execution either direct by the Police, Taluk Magistracy or District Magistracy is herewith submitted for information.

4. Owing to the small number of warrants executed under the new rules in the District the average cost of Rs: 1-15-9 cannot be taken as sufficient data to fix a sum for all cases. But taking the distance of the requisiting Taluks and the number of days for journeys into consideration, I am of opinion that Rs: 3 for guarding and one for feeding the accused would ordinarily suffice and surplus in some cover any possible loss on others.

I have the honor to be
Sir
Your Most Obt. Servt.

Dy Commissioner

Statement showing the number of warrants under Act 13 of 1859 received from Her Majesty's territory for execution from 21 January 1879 upto the end of June 1879

| No. of warrants received | Name of the District where issued | Name of the Talluk where executed | Persons executed | Persons suspended | Amount of batta paid to accused | How received | By Police to jail | By Police to place of payment | Pay of the Police for that days employment | Remarks |
|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Wynad | Ashtagram | 1 | " | " | " | 1 | | 1-8-0 | Forwarded by Tamul to the meaning from Station officer to Station Officer |
| 1 | Coorg | Do. | 1 | " | Rs a p | - | 1 | | 1-8-0 | |
| 8 | Canara | Do. | 3x | 5x | 4 " 11 . 0 | " | 3 | | 5-0-0 | Received Rs50 of which 4"11 spent for batta and the balance remitted to the Magistrate. |
| 4 | Wynad | Sultan | 3 | 1 | " | 3 | " | Rs21 Q Jail road | " | |
| 1 | Coorg | Do. | " | 1 | " | " | " | " | " | |
| 2 | Wynad | Do. | " | 2 | " | " | " | " | " | |
| 1 | Coorg | Mandya | " | 1 | " | " | " | " | " | |
| 1 | Wynad | Maddur | 1 | " | 0 " 5 " 8 | " | 1 | " | 1-9-8 | |
| 2 | Coorg | Do. | 1 | 1 | 0 " 6 " 2 | " | 1 | " | 1-12-10 | |
| 1 | Wynad | Malabli | 1 | " | 1 " 12 " 0 | 1 | " | Rs5-4-0 | " | Rs 62-8- returned - |
| 25 | Wynad | Chamrajnagar | 15 | 10 | " | 15 | 4 | 112-9-0 | " | |
| 12 | Gundalur | Gundlu | 12 | " | " | 12 | " | 84-0-0 | - | Amounts of a portion of the sums spent for batta not yet received - |
| 2 | Wynad | Gundalur | 1 | 1 | 8 | " | 1 | " | Rs0-0-1 | |
| 6 | Gundalur | Do. | 5 | 1 | " | 5 | - | 135-4-0 | | |
| 67. | Total | | 44 | 23 | 7-10-10 | 36 | 8 | 257-12-0 | 14.6.6 | |

Superintendent
Engineers Do.

1879. C 2407.

From Deputy Commissioner
Tinnevelly District.

To

Secretary to Chief Commissioner,
~~General~~ Department.

16

Dated 12th August 1879.

Despatched

Received

**Enclosures No. /**

General No. 70 | 1879—1880

Chief Commissioner's Proceedings No 2493/24 of 19th June 1879.

Encloses a statement showing the cost of the execution of Processes under Act XIII of 1859 received in this District.

All replies received - Tabular statement may now be completed & submitted -

Srinivasa Rao
14-8-79

Subd
15.8.79

No: 70

Tumkur District
Deputy Commissioner's Office
Tumkur 12th August 1879.

To,

The Secretary to the
Chief Commissioner of Mysore.
General Department

Sir,

Adverting to the Chief Commissioner's Proceedings No: 2493/24 dated 19th June 1879. I have the honor to enclose a Statement shewing the cost of the execution of process under Act XIII of 1859 received in this District. The average actual cost of the Execution of each Warrant is very nearly the amount now received from the Magistrates in the Madras Presidency - namely Rupees 7-0-0.

I have the honor to be
Sir,
Your most obedt: Servant

Dy: Commissioner

Encl,

Statement showing the number of warrants received for execution under Act XIII of 1859 and the cost in their execution &c since the receipt of Chief Commissioner's Proceeding No 876/12 of 21st January 1879.

| Talooks | Number of warrants received | Executed | Unexecuted | Number in which return Process has been made Batta at Rupees 7 per warrant | Rations &c to accused | Escort | Total | Estimated cost of Police employed In executing warrant | In escorting prisoners | Total | Gross Cost |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Trinkut | 3 | 3 | - | 21 | 2 15 3 | 18 | 20 15 3 | - | 9 7 | 9 7 | 21 8 10 |
| Korattagéri | 2 | - | 2 | 14 | - | - | - | 3 | 6 4 | 3 6 4 | 3 6 4 |
| Madhurei | 1 | 1 | - | 7 | 1 9 9 | - | 1 9 9 | 1 | - - | 5 - - 6 - - | 7 9 9 |
| Chittoorpatanhalli | 2 | 1 | 1 | 14 | 2 8 - | - | 2 8 - | 1 | - - | 7 - - 8 - - | 10 8 - |
| Deré | - | - | - | - | - | - | - | - | - | - | - |
| Kunigal | 21 | 10 | 11 | 147 | 10 - - | 60 - - | 70 - - | 70 | 14 11 | 70 14 11 | 140 14 11 |
| Kadaba | 4 | 2 | 2 | 28 | 2 - - | 12 - - | 14 - - | 4 | 8 6 | 4 8 6 | 18 8 6 |
| Komarally | - | - | - | - | - | - | - | - | - | - | - |
| Total | 33 | 17 | 16 | 231 | 19 1 - | 90 - - | 109 1 - | 81 | 7 4 12 - - | 93 7 4 | 202 8 4 |

Trinkut
16th August
1879

G.L.R.

Fisherabad
Deputy Commissioner

154

1879

From

The Asst Commissioner
of Coorg
The General Secretary
to the Chief Commissioner
of Coorg.

Dated 25th August 1879

Despd 27th
Recd 28th "

General No 1996
90

Forwards in original letter
No 104 of the 16th instant from the
Supdt of Coorg regarding Balla
Rs not being returned when
warrants are returned unexecuted
and solicits attention to the
representation of the planters
on the subject which is under
consideration.

Submits thro' Dewan
Sahib, who has the
Mysore enhances, and
replies of Local Officers
to tabulate,

Ram Rao
28-8-79

Order.

A similar representation
having been received from
the Planters Association
in the Wynaad through

---

the Madras Govt the C.C. instituted an inquiry into the actual cost of executing Bailable warrants under act XIII of 1859 received from that Dist.

The result was that the Chief felt justified in reducing the fee charged for such warrant to Rs 3.

Looking to the situation of Coorg with regard to the Mysore & Hassan Dists in which the majority of warrants are executed by Coorg constables that for warrants issued from Coorg for execution in Mysore a fee of Rs 4 will suffice —

This fee also is fixed according to the best procurable information as a fair average in each case & therefore it is payable whether the process is served or not

In the experience of another year does it not that the fee can be reduced still more that will be done

13/9

Hd Clerk.
Dist Magistrate
Secy Planters Assn Coorg
D/AG Mysore.
Supdt Coorg.

No. 1996
90

Bangalore 25th August 1879

(11)

From,

J. D. Sandford Esquire
Judicial Commissioner
of Coorg

To,

The General Secretary to the
Chief Commissioner
of Coorg

Sir,

In forwarding, in original, letter No. 1000/70 of the 14th instant, with its enclosures, from the Superintendent of Coorg, submitting a representation from the Coorg Planters, that when warrants are returned unexecuted the Butta, Rupees 7, is not returned, and complaining of the high rate charged, I have the honor to state that, the decision of the Deputy Accountant General, is in accordance with the orders of the Chief Commissioner No. 12298/218 dated 31st March last. But as the Subject is still under consideration, with reference to the proceedings of the Chief Commissioner, No. 2493/24 dated 19th June 1879, I would ask attention to the representation of the Planters Association.

I have the honor to be
Sir
Your most Obedient Servant

J. D. Sandford
Judicial Commissioner.

L 16

26th July 1879

17 & Mercara

To.

The Superintendent of Coorg

Mercara

Sir

I am requested to bring to your notice the subject of Warrants to Mysore

Formerly if a warrant was re-turned from Mysore unserved the Batta Rs 7/- was returned also, now the Batta is not return-ed so that the Government actually make a profit of Rs 7/- on every Warrant unserved surely this cannot have been intended.

While on this subject the Association beg to point out that the amount Rs 7/- charged for Batta is a most exhorbitant one, and in the case of defaulting coolies is simply prohibition to the magistrics.

I have &c

(Signed) A R Alston

Hon'y Sec'y Coorg

Planter's Assn

"Copy

W. G. Thomson

Superintendent

MR

17

From

The Deputy Commissioner

Mysore District

To:

The 1st Assistant Superintendent

of Coorg

Dated 26th March 1879

No. 2159

His docket No. 364/272 of the 26th February 1879 asking for refund of Process money.

---

With reference to the above, has the honor to forward for information copy of the Deputy Accountant General's circular and also of this office docket to the Commissioner, Ashtagram Division on the Subject.

(signed) C. Pearce

Dy. Commissioner

---

Mysore Dy. Comr's Office

To:

The Commissioner

Ashtagram Division

Dated 10th March 1879

No. 872

Referring to the proceedings of the Chief Commissioner No. 876/112 dated 21st January 1879 has the honor to request to know if after enquiry a process warrant

has

has to be returned unserved owing to party being dead or not found, this is to be ascertained free of cost to complainant and the fee Rs 7/- received therewith returned.

2 Arrangement so as to prevent accounts is advisable. Either the fact ascertained free of cost or at the full cost of 7 Rs paid by complainant as ascertained for his possible benefit.

3: As case in point has arisen — hence the question.

(signed) C. Pearse

Dy Commissioner

---

Circular No. 1417 dated 17th March

Charges for execution of Madras Warrants in Mysore

To:

The Deputy Commissioner

Mysore District

With reference to the Chief Commissioner's proceedings No. 876/912 dated 21st January 1879 the Deputy Accountant General has the honor to state that the Batta of Rs 7/- which under those orders is to be remitted by the Magistrates of the Madras Presidency for the execution of their Warrants

in Mysore should be paid into the local treasury to credit of fees, fines &c under the head of Law and Justice.

All authorized expences attending the execution of such warrants will have to be borne by the Mysore Government as directed in the Chief Commissioner's orders, even if in excess of Rs 7 and if less no refund will have to be made to the Madras authorities

(signed) A. Hudson
Dy Asst. General
of Mysore

"Copy"
(signed) C Pearse
Dy Commissioner
Mysore District

"Copies"
(signed) H. M. S. Magrath
1st Asst. Superintendent
of Coorg.

"Copies"

H. G. Thomson

Superintendent

No. 104/70

Coorg Superintendents Office

Dated 14th August 1879

From

The Superintendent of

Coorg.

To,

The Judicial Commissioner of

Coorg

Sir

I have the honor to enclose, a copy of letter, dated 26th July 1879 received from the Honorary Secretary Coorg Planters' Association representing that when Warrants issued by the Courts in Coorg under Act XIII of 1859 are returned unexecuted from Mysore the batta Rs 7/- charged to cover the cost of bringing the accused persons to Coorg is not returned to the complainants.

2. In proceedings of the Chief Commissioner of Mysore dated 2nd January 1879 No. 8761 Judicial 12, it is directed that all warrants issued by Magistrates under Act XIII of 1859 should be accompanied with a remittance of Rs 7/- for each person, whose arrest is required, and in consideration of such payment all charges incurred in providing food and escort for prisoners will be defrayed by the Mysore State

3. The Deputy Accountant-General in his circular No. 1417 of 17th March 1879, has it appears from the correspondence received from the Deputy Commissioner Mysore District with his docket dated 26th March 1879 No. 2159 addressed to the 1st Assistant Superintendent of Coorg, copies annexed, ruled that no portion of the amount remitted to cover expenses should be refunded even if the Warrants be returned unexecuted.

17C

4. The Deputy Accountant Generals orders I would submit bear hardly on the planters and I would suggest that the charge might be reduced in cases in which the warrants may not be served.

5. I have the honor to be

Sir

your most obedient Servant

H. G. Hudson

Superintendent

H.R.

No. 4669.
J. 76.

18

*From*

W. J. CUNINGHAM, ESQ.,

SECRETARY TO THE CHIEF COMMISSIONER

OF MYSORE.

*To*

THE CHIEF SECRETARY TO THE GOVERNMENT

OF MADRAS.

General Department
(*Judicial*)

SIR,

*Dated Camp, Mysore, 16th September* 1879.

In reply to your letter No. 11[illegible] dated 20th May 1879, I am desired by the Chief Commissioner to intimate for [illegible] information of His Grace the Governor in Council that upon instituting an enqui[illegible]ry into the actual cost in each case of serving warrants issued from the Wynaad in [illegible]sore, it is ascertained that in most districts of this Province Rs. 7, which is the pri[illegible]ow charged, is below the average, but at the same time having consideration to the [illegible]t that the greater number of warrants received are for execution in the Distri[illegible] of Mysore and Hassan where the average cost, owing to their comparative prox[illegible] to the Wynaad, is less than in other Districts, Mr. Gordon is prepared to lowe[illegible] charges for every warrant to Rs. 5.

2. I am also directed to say tha[illegible] information upon which the present estimate is based is not so complete as M[illegible]ordon would wish, and if the further experience of another year shews that such [illegible] safely be done, he will be ready to reduce the fee still lower.

I have the honor to be
Sir,
Your most obedient Servant,

W. J. CUNINGHAM,
*Secretary.*

6 copies dt 2/4
1 with file

1 to Current Records

Revenue - 22 to Gl. Records

30

1874.

Government of Mysore.
General Department.

Judicial.

To- The Chief Secretary to the Government of Madras.

Dated, 16th Sept. 1874.

No. 4669
J. 76

Intimating that, for the reasons stated, the Ch. Commissioner is prepared to lower the charges for executing in Mysore every warrant issued by Magistrates in the Madras Presidency under Act XIII of 1859, to 6 Rupees 5.

17-9-74

number of warrants received are for execution in the Districts of Mysore and Hassan where the average cost, owing to the comparative proximity to the Capital is less than in other Districts, Mr. Gordon is prepared to lower the charges for every warrant to 5.

2. I am also directed to say that the information upon which the present estimate is based is not so complete as Mr. Gordon could wish or the further experience of another year shews that such can safely be done he will be ready to reduce the fee still lower

I have &c

J. M.
13/9

No 4669
J. 76

From, W. J. Cunningham Esquire,
Secretary to the Ch. Comr. of Mysore,

(18)

To The Chief Secty to the Govt of
Madras.

Dated, 16th September 1879.

Sir

P. & General Department.
(Judicial.)

In reply to your letter
No 1183 d 20 May 1879 I am
desired by the Chief Comr.
to intimate for the infn
of H.E. the Gnl C that upon
instituting an enquiry
into the actual cost in each
case of serving warrants
issued from the Coynaad
in Mysore. it is ascer-
tained that in most dis-
tricts of this Province Rs 7/1
which is the price now charged
is ~~above~~ below the average,
but at the same time
having consideration
the fact that the greater

Whether the fee of Rs 7 ch
for each warrant in cases
it appears to the C.C. that
the information available
is insufficient to lead to a
positive conclusion in the num
warrants lately received
being but small. But so far
as can be judged Rs. 7 is less
than the avge cost of issuing a
warrant in some Dists, a fair
average in others & a high
charge in two the Mysore &
Hassan Dists:

2. That greater number
warrants being for arrest of
dealers in the Mysore & Hassan
Dists. the CC is of opinion
that the charge per warrant
in respect of persons to be
arrested in either of these Dists
could be reduced to Rs 4, the
fee of Rs 7 being retained for
the rest of the Province & if
this proposition meets with
approval Mr. Gordon will, Sam.
to-day, issue orders accordingly

Note

Orders.

dy 20th Aug/79, forwarding
eting against the large fee
e issued by the Madras
were requested to procure
issue of C.C's Rs No 8761 of
12
. In Dts where no such Warrant
mon, would be the average
The replies are noted below—

Wynaad. Six were received
ng was Rs 2-12-0 and every
ort may be taken as 6 3/4 Rs.
fixed at Rs 7 is reasonable.

Krishnampar thinks that
person to the Wynaad may be
ed the distance to the Wynaad

It is seen that 33
of 28 certified & distng
ecuting Warrants &c

since January 1879. One was
of the 7 Rs received Rs 1-12-0
he escorted the prisoner. The
ouffice—

om Coorg. Three fetched
were arrested) was Rs 18-13-6 3/4
that Rs 4 will be enough
that this amount will
of the fee for unexecuted
e to show that at one time such
uring be done now. If the Police
e fixing the fee—
Rs 3-12-0. If cost of

—

g time for travelling
at 6 Rs will be Rs 5-9-7.

e the Taluks from which
" escorting & distng a
the average cost for

It will be seen from the replies that the Dt Masters of Bangalore, Tumkur Shimoga and Kadur consider the fee of 7 Rs reasonable.

In the case of Kolar and Chickballapur the estimated cost rises to Rs 10 nearly.

The Dt Master of Mysore thinks 4 Rs would be Enough. The Dy Comr of Hassan also gives the same opinion, ~~but the Asst Superintendent that he does not~~ so.

Thus only 2 Dt Comrs advocate a lower rate of fee than that now fixed. On the other hand 2 others estimate the cost at 10 Rs.

In regard to the Hassan Dt Comrs suggestion that the police should not be entrusted with this work, please see Judl Comrs No 2665 of 17th March 1870 to Supdt of Nundidroog Dist, in which it is said that Batta is

486

Orders.

Note

dy 20th May/79, forwarding
sting against the large fee
t issued by the Madras
were requested to report
issue of C.C's Pro No 8761/12 of
s. In Dts where no such warrant
mon, would be the average
The replies are noted below—

Wynaad. Six were received
g was Rs 2-12-- and freq
cost may be taken as 6¾ Rs.
fixed at Rs 7 is reasonable.

Krishnaraja thinks that
person to the Wynaad may be
ind the distance to the Wynaad

It is seen that 33
of escorting & distg
executing warrants &c

since Jany 1879. One was
of the 7 Rs received Rs 1-12--
o Escorted the prisoner. The
coffies—

m Coorg. Those fetched
were awarded was Rs 10-12-6½
that Rs 4 will be enough
that this amount will
of the fee for unexecuted
ue to show that at one time such
cuting be done now. If the Police
in fixing the fees—
Rs 3-12--. If cost of

Rs time for travelling
s at 6 Rs will be Rs 5-9-7.

are the talukas from which
of escorting & disting a
the average cost for

It will be seen from the replies that the Dt Magtes of Bangalore, Tumkur Shimoga and Kadur consider the fee of 7 Rs reasonable.

In the case of Kolar and Chickballapur the estimated cost rises to Rs 10 nearly.

The Dt Magte of Mysore thinks 4 Rs would be enough. The Dy Comr of Hassan also fixes the same opinion, ~~but it appears probable that he does not~~ ~~is~~.

Thus only 2 Dy Comrs advocate a lower rate of fee than that now fixed. On the other hand 2 others estimate the cost at 10 Rs.

In regard to the Hassan Dy Comrs suggestion that the police should not be entrusted with this work, please see Jud Comr's No 2465/486 5/17 March 1870 to Supt of Nandidroog Dist, in which it is said that Battalions should be employed

(184)

To Chf Secty Madras.

I am directed by the CC in reply to yr. letter 7183 d 20 May 1879 to intimate for the info. of H.G. the GovC that am enquiring into the actual cost of sewing. Warrants under Act XIII of 1856 received for the Wynaad having been substituted with

1879.

# GOVERNMENT OF MYSORE.

GENERAL DEPARTMENT.

JUDICIAL.

Pb 1-28-1

*To*

THE JUDICIAL COMMISSIONER.
" DISTRICT MAGISTRATES.
" DEPUTY ACCOUNTANT GENERAL.

19

*Dated* 16*th September*

*Despatched*

*Received*

No. 4670.
J. 77.

Directing that for the future the fee to be charged for each warrant sent for service from the Wynaad shall be Rs. 5.

Mysore Govt. Press, Bangalore.—19-9-79.—50.

*Proceedings of the Chief Commissioner of Mysore in the General Department, (Judicial),—dated 16th September 1879.*

READ—

Proceedings of the Chief Commissioner, No. 2493—24, dated 19th June 1879.

No. 582—174, dated 2nd July 1879, from the Deputy Commissioner, Kolar District.

No. 556, dated 2nd July 1879, from the Deputy Commissioner, Kadur District.

| | | | | |
|---|---|---|---|---|
| No. 133, dated 8th | do | do | Chikaldroog | do |
| No. 96, dated 18th | do | do | Bangalore | do |
| No. 67, dated 16th | do | do | Shimoga | do |
| No. 263, dated 22nd | do | do | Hassan | do |
| No. 700, dated 29th | do | do | Mysore | do |
| No. 70, dated 12th August 1879 | | do | Túmkúr | do |

No. 4670—J. 77, DATED 16TH SEPTEMBER 1879.

ORDER THEREON.—It appears from the above read reports that while Rs. 7 is less than the average cost of executing warrants from the Wynaad in several Districts of the Province, the cost in Mysore and Hassan, where the majority of warrants issued under Act XIII of 1859, are received is calculated to be considerably less than that sum.

2. The Chief Commissioner is pleased to order, therefore, that for the future the fee to be charged for each warrant sent for service from the Wynaad shall be Rs. 5.

W. J. CUNINGHAM,
*Secretary.*

To—The Judicial Commissioner.
" District Magistrates.
" Deputy Accountant General.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

---

27th September 1879, No. 2495.

**Warrants.**

Read the following paper :—

o. 206. *From W. J. CUNINGHAM, Esq., Secretary to the Chief Commissioner of Mysore, General Department (Judicial), to the Acting Chief Secretary to Government, dated Mysore, 16th September* 1879, *No.* 4669—*J.*-76.

In reply to your letter, No. 1183, dated 20th May 1879, I am desired by the Chief Commissioner to intimate, for the information of His Grace the Governor in Council, that, upon instituting an inquiry into the actual cost in each case of serving warrants issued from the Wynad in Mysore, it is ascertained that in most districts of this province Rs. 7, which is the price now charged, is below the average, but at the same time, having consideration to the fact that the greater number of warrants received are for execution in the districts of Mysore and Hassan where the average cost, owing to their comparative proximity to the Wynad, is less than in other districts, Mr. Gordon is prepared to lower the charges for every warrant to Rupees. 5.

2. I am also directed to say that the information upon which the present estimate is based is not so complete as Mr. Gordon would wish, and, if the further experience of another year shows that such can safely be done, he will be ready to reduce the fee still lower.

---

No. 207. ORDER THEREON, 27th September 1879, No. 2495.

Communicated to all District Magistrates, the Inspector-General of Police, the Accountant-General, and the Wynad Planters' Association.

(True Extract.)

*Acting Chief Secretary.*

To all District Magistrates.
„ the Inspector-General of Police.
„ the Accountant-General.
„ the Wynad Planters' Association.

Exd. J. W. Fischer.

# Govt. of {1879} Madras.

## JUDICIAL.

*To*

ALL DISTRICT MAGISTRATES,

&c., &c., &c.

*Dated September, 27th.*

*Issued*

*Recd.* *Encl.*

*G. O., 27th September 1879, No. 2495.*

## SEPTEMBER.
## Nos. 206—208.

*Warrants.*—Communicating letter from Secretary to Chief Commissioner, Mysore, intimating that the Chief Commissioner is prepared to lower the charges for executing in Mysore every warrant issued by Magistrates in the Madras Presidency under Act XIII of 1859 to Rupees 5.

JUDICIAL DEPARTMENT.

Jud. 1-78-23

Warrants.

No. 2496.

To

THE CHIEF COMMISSIONER OF MYSORE.

SIR,

I am directed to acknowledge the receipt of Mr. Cuningham's letter, dated 16th September 1879, No. 4669—J.-76, intimating your readiness to lower the fee on warrants under Act XIII of 1859 sent for execution in the Mysore territory from Rupees 7 to Rupees 5, and to request that instructions be issued for bringing the fee of Rupees 5 into operation.

I have the honor to be,
Sir,
Your most obedient servant,

*Acting Chief Secretary.*

OOTACAMUND,
*27th September* 1879.

Exd. J. W. Fischer.

Govt. of {1879} Mysore.

**JUDICIAL.**

To The CHIEF COMMISSIONER OF MYSORE.

Dated September, 27th. 1879.

Issued No. 5868 of 1879.

Recd. —

Encl.

---

**To the same**

R. O., 27th September 1879, No. 2496.

**SEPTEMBER.**

**Nos. 206—208.**

---

*Warrants.*—Acknowledging receipt of letter intimating the readiness of the Chief Commissioner of Mysore to lower the fee on warrants under Act XIII of 1859 sent for execution in the Mysore territory from Rupees 7 to Rupees 5, and requesting that instructions may be issued for bringing the fee of Rupees 5 into operation.

---

(21)

[illegible] the same date another printed order was issued on a representation from the Coorg Planters' Association received through the Judl. Comr., reducing the fee of 4 Rs. for each warrant issued from Coorg for execution in Mysore. —

In both cases a further reduction is to be made, if after a year experience it is shown that such could safely be done. —

20.10.79

[illegible] Forget whether an order lowering the Mysore fee for warrants to Rs. 5 has actually issued? If not draft an order. In any case the fee is required again in connection with representations made by the Coorg Planters' Assn. concerning inefficient execution

19 L 13/10

Yes. order There issued in Ch. Comr's Pro. of 16th Sept. to Judl. Comr., Dist. Magistrates and D.A.G. reducing the fee from 7 to 5 Rs. for each

03202.

1879.

From Deputy Commissioner Limkiri District.

To

Secretary to Chief Commissioner, General Department.

Dated 20 October 1879.

Despatched

Received 23 " "

Enclosures No.

General No. 187 9 & 80
No. 152

Chief Commr's Pro: No 4670/77 dated 16 September 1879.

Solicits instructions whether the fee for the service of warrants issued by Magistrates in the Nilgiris and other parts of the Madras Presidency is to be 7 Rs as laid down by the Chief Comr in his order No 8761/12 of 21st January 1879.

---

Re order No 4670/1877 d 16 Sept reducing the fees to be charged for execution of warrants under Act XIII of 1859 received from the Registrar & Rs is hereby made of Genl application to all warrants issued under that act in any part of the Madras Presidy

(illegible) 1-78

To Chf Secy Madras

Sir/Sir. 2486 4 Sept

I am directed by C C to inform you that orders have been issued to all magistrates of Nilgiris & reduce the charge for executing warrants issued under Act XIII of 1859 & received from any part of the Madras Pres.y to Rs 5.

Sd/ 2/9/79.

Sd/ 4/11

Drafted

Tumkur District
Deputy Commissioner's Office
Tumkur 20th October 1879.

No 152

To,

The Secretary to the
Chief Commissioner of Mysore
General Department.

Sir,

Adverting to the Chief Commissioner's Proceedings No: 4670/77 dated 16th September/79 ordering that the fee to be charged for each Warrant sent for service in Mysore from the Wynaad under Act XIII of 1859 shall be Rupees 5, I have the honor to solicit instructions whether the fee for the service of such Warrants issued by Magistrates in the Neilgherries and other parts of the Madras Presidency is to be 7 Rupees as laid down by the Chief Commissioner in his order No: 8761/Jud: 12 dated 21st January /79.

I have the honor to be
Sir,
Your most obedt: Servant
Deputy Commissioner

R.C.C.

General No. 5868
9 13

Mysore Chief Commrs Office
Camp Hulsan 10th Novr 57

To

The Chief Secretary to the
Govt of Madras

Sir,

In reply to your letter
No. 2496 of 27th September
last, I am directed by
the Chief Commissioner
to inform you that orders
have been issued to all
Magistrates in Mysore
to reduce the charge
for executing Warrants
issued under Act XIII
of 1859 and received
from any district of
the Madras Presidency
to Rupees 5.

I have &c
W. C.
Secy

1-78-25

1879

To The Chief Secretary
to the Govt of Madras

22

Dated 10th November
Recd 12th

Encls: 1

Govt No 5868
G 13

In forwarding in reply
that orders have been
issued to all Magistrates
to reduce the charge for
executing Warrants issued
and received from any
district of the Madras
Presidency to Rs: 5/-

1879 V

Government of Mysor
General Department.
Judicial.

Ex. 1-78-6

(24)

To the Judicial Commissioner
" District Magistrate
" Dy Accountant General.

Dated 17th November 1879

No 5940
J 107

Directing the Chief Commr's Order No 4670/77 dated 16th September 1879 reducing the fee for executing warrants under Act XIII of 1855 from the Wynaad to Rs 5 be made generally applicable to all warrants issued in any District of the Madras Presidency.

No
18-11-79

One Page
to 19

Pro: of the Chief Court of Mysore -

Read letter No 152 d/ 20th octr '79 from the Dep Court Tumkur Distt enquiring if the fee of Rs - fixed in Chief Commrs Pro- -ceedings No 4670/77 d/ 16th Septr last for the service in Mysore of Warrants ~~orders~~ from the Wynaad under Act XIII of 1859 is to be held applicable to Such Warrants received from the Nilgiris and other parts of the Madras Presidency, in supersession of this ~~Chief Commrs~~ office Proceedings No 8761/12 d/ 21st January 1879.

Order. The Chief Commrs order No 4670/77 d/ 16th Septr last, reducing the fee to be charged for Execution of warrants under Act XIII of 1859 received from the Wynaad to Rs 5. is hereby made of general appli- -cation to all warrants issued under that Act in any District of the Madras Presidency.

Sept

W Cunningham
Secy

To The Jud. Commr.
To ~~D~~ ~~Commr of Mysore~~
" D. Magistrate
" D. Advocate General.

Tlr:

1879.

# GOVERNMENT OF MYSORE.

GENERAL DEPARTMENT.

JUDICIAL.

*To*

THE JUDICIAL COMMISSIONER.
„ DISTRICT MAGISTRATES.
„ DY ACCOUNTANT GENERAL.

*Dated* 17*th November.*
*Despatched*
*Received*

No. 5940.
J. 107.

---

Directing the Chief Commissioner's Order No. 4670—77, dated 16th September 1879, reducing the fee for executing warrants under Act XIII of 1859 from the Wynad to Rs. 5, be made generally applicable to all warrants issued in any District of the Madras Presidency.

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Mysore Govt. Press, Bangalore.—19-11-79—50.

*Proceedings of the Chief Commissioner of Mysore in the General Department, (Judicial),—dated 17th November 1879.*

READ—

Letter No. 152, dated 20th October 1879, from the Deputy Commissioner, Túmkúr District, enquiring if the fee of Rs. 5 fixed in Chief Commissioner's Proceedings No. 4670—77, dated 16th September last, for the service in Mysore of warrants received from the Wynad under Act XIII of 1859, is to be held applicable to such warrants received from the Nilgiris and other parts of the Madras Presidency, in supersession of this Office Proceedings No. 8761—12, dated 21st January 1879.

No. 5940—J. 107, DATED 17TH NOVEMBER 1879.

ORDER.—The Chief Commissioner's Order No. 4670—77, dated 16th September last, reducing the fee to be charged for execution of warrants under Act XIII of 1859 received from the Wynad to Rs. 5, is hereby made of general application to all warrants issued under that Act in any District in the Madras Presidency.

W. J. CUNINGHAM,
*Secretary.*

To—The Judicial Commissioner. 4
" District Magistrates. 32
" Dy. Accountant General. 2

38 dispt
1 withdrawn
1 to Cuttup records
10 to prove, sent to Genl Records
50

decision in Mysore.

There are precys in the Genl. dept in which after correspondence with Madras CC undertook to execute all civil processes of Courts of Brit India in Mysore as if they were processes of Mysore Courts. Get them & put them up. the principle seems will apply to these cases.

W.J.L.
20/12

Papers obtained from Genl Dept & submitted
16/CC
22/12/79

Transfer to Genl Dept
Mysore Office & there inserted

Vide the arrangement made in Chief Commr's order $\frac{8761}{\text{dated}}$ d/ 12 Jany 21st 1879 relative to the execution of Civil processes issued by Courts in the Madras Presy in Mysore free of cost and hereby made applicable to processes issued by Civil Courts in Coorg and shall apply to warrants or other processes issued under s 2 Act XIII of 1859 for the

1879. 21.

From The Judicial Commissioner of Mysore

To

Secretary to Chief Commissioner, General Department.

26

Dated 5th December 1879

Despatched 27

Received

Enclosures No. 18

General No. 3071 ~~187~~ —7.

No. 370

I forwards in original letter No. 151 of the 28th November 1879 on any requests that the decision of the Judicial Commissioner may be obtained on the question raised whether or not a second fee should be paid for the execution in Mysore of warrants issued by the Coorg Courts under section 2 of act 13 of 1859——

Submitted with Act XIII of 1859, & the recent Correspondence with the Govt of India regarding fees on Processes rec'd from outside Courts in Coorg.

L.R.
19/12/79

Does apply to Civil processes. This has been wrongly sent to C.C Coorg. It is a matter for

apprehension of accused persons
who may have failed to comply
with an order of a [redacted]
issued under that section
and Act

W.P.C. 23.12.

To J.C.
Supt of Convg (with 2 Sc of Ct
Temp 8761 of 21.1.79)

12/1/80

No: 3071
370

Bangalore 5th December 1879.

From.

J. D. Sandford Esqre
Judicial Commissioner
of Coorg.

To.

The Secretary to the
Chief Commissioner of Coorg
General Department

Sir,

I have the honor to forward in original, letter No. 151/110 dated 28th November 1879, with its enclosures from the Superintendent of Coorg, and to request that the decision of the Chief Commissioner may be obtained on the question raised whether or not a second fee should be paid for the execution in Mysore of warrants issued by the Coorg Courts for the arrest of accused persons for disobedience of orders passed under Section 2 of Act 13 of 1859.

2. I am of opinion that as warrants issued under Section 2 of Act 13 of 1859, are issued in order to give effect to the order of the Court already passed in the case, and as the complainant may have already paid the fee for the original arrest, no fee should be required by the Impore Magistrates for the execution of such warrants.

I have the honor to be
Sir
Your most Obed't Servant

Judicial Commissioner

L.P.

1880.

From the Secy: to the Chief Commr of Mysore.

To The Judicial Commissioner
" The Superintendent of Coorg.

Dated Bangalore, 12th January

Despatched 14

Encl: No: 1 Circl Cons: 18th to 23rd Jany: Papers.
Encl: No: 2 Copies of Pro: No: 8761/12 dy 21.9.79 to Coorg Supdt.

(2)

Genl No: 729
J No: 149 East

Directing the execution in Mysore of sentences + other Crimal proceedings Cost, of warrants issued by the Coorg Courts under section 2 of Act XIII of 1857.

Lb. 1-18-2

2

General No: 729

J 149

Rn: of the Chf Commr of Mysore

Read

Letter No. 3071/370 of 5th Dec/79

from the Judicial Commissioner,

forwarding letter No. 151/110 of

28th November last, and

requesting the Chf Commrs

decision on the question

raised, whether or not

a second fee should be

paid for the execution

in Mysore of Warrants

issued by the Coorg Court

under Section 2 of Act XIII

of 1859.

Bangalore 12th January 1880. Order:—

The arrangements

made in Chf Commrs

Order No. 8761/J. 12 of 21st

January 1879, relative

to the execution of

Criminal processes
issued by Courts in the
Madras Presidency and
Mysore free of cost,
are hereby made
applicable to processes
issued by Criminal
Courts in Coorg, and
shall apply to Warrants
or other processes issued
under Section 2 Act XIII
of 1859 for the
apprehension of
accused parties who
may have failed to
comply with an order
of a Magistrate issued
under that Section & Act.

Secretary

To The Judl Comr
(returning enclosures)
" Supdt of Coorg (with 2 spare copies of CCrPr
No 8761 T. 12 of 21 June 1879) Ck 12/1/80

2

1881

To The Magistrates
of the several Distts

25 July 1881

No 2830-7
67

SUPERINTENDENT

(21)

Pols. 1-78-29

Vo 2830-7 67 5th July/81 Order

Hon. Magistrates of Districts are requested to furnish a return of the number of processes for Offences under Act XIII of 1859 which have been received from British Territory and executed in their respective Districts during the last 3 Calendar years and up to the end of May in the current year.

& to submit their opinion on the present working of the arrangement. Information is especially required on the point whether these processes are to any extent used by Coorg Maistries to force ignorant Coolies into their service - A reply should be submitted before the 15th instant -

H. Lee.

To the Magistrates of the several Distts

General, (Serial No. 20.)

1881.

136
MYSORE

*From* The Commissioner

*To* Collector of Kolar Distt

*Secretary to Chief Commissioner, Bevan*
*General Department.*

28

*Dated* 30th July 81.

*Despatched*

*Received*

Ll. 1-78-30

**Enclosures No.**

*General No.* 232 / 1881-82
*No.*

Informs that it does not appear that any proceeds for offences under Act XIII of 1857 have been received from British Territory for execution in this District.

11.7.81

Communicate pl.

30/7

[illegible]

28

No 232.

Dy Commr's Office
Chittaldroog Distt
Dated 8th July 1881.

To The Secretary to the Govt
of Mysore Genl Dept

Sir,

In acknowledging the receipt
of the Proceedings of the Govt,
No 2,830-7/67, of 5th July 1881, I have
the honor to inform you, that
it does not appear, that any proceedings
for offences under Act XIII of 1859,
have been received from British
Courts for execution in this Distt
during the last three calendar
years, and up to the end of June
of the present year. Although in
consequence of no processes of the
kind having been received for
service in this District, I am
not practically in a position to
express any opinion on the working
of the arrangement made for the

service of such processes, yet, I may be permitted to say that I apprehend no inconvenience from the continuance of the system now in force, viz that of, &c: concerning a fee of Rs 5/- as laid down in the late Chief Courts proceedings No 5,940. J 107 of 17th Novr 79.

2. With regard to the enquiry as to whether the processes in question are to any extent used by coolly Masistries to force ignorant coolies into their service, I beg leave to state that for the reason explained in the above para, I am not in possession of the necessary data to be able to give the information required.

I have the honor to be
Sir,
Your most obedt servant

W M Khan Sd
Dy Commissioner

BM.

General, (Serial No. 29.)

13.7.81
88

1881.

220.

From The Deputy Commissioner
Kadur Dist

To the Dewan of
Secretary to ~~Chief Commissioner~~,
Mysore. General Department.

No. 1-78-31

90

Dated 9th July 1881

Despatched 10th "

Received

**Enclosures No.**

General No. 190 / No. | 188 —8 .

Sir,

I have the honor
to report with
reference to the
Dewan's proceedings,
dated 3rd July 1881,
that no processes
for offences under
Act XIII of 1859
would appear,
after searching the
records carefully,
to have been received
from British terri-
tory and executed

in this District during the
last 3 Calendar years and
up to the end of May in
the current year. I am
therefore unable to submit
any opinion on the present
working of the act, but in
this District at least it is
evident that these breaches
are not used by Coolie
Masters to force ignorant
Coolies into their service.

I have the honor to be,
Sir,
Your most ob-dt Servant
G. F. Nicholetts
Deputy Commissioner

15.7.81

General, (Serial No. 29.)

3176
15.JUL.81
DEWAN OF MYSORE.

1881.

From The District Magistrate of Shimoga

To the Dewan Secretary to ~~Chief Commissioner~~ General Department.

26.1-78 32

291

Dated 12th July 1881

Despatched 13th

Received

**Enclosures No. -**

General. No. 325 / Pol. No. 38 } 1881-82

Sir,

In reply to the Dewan's Proceedings No. 2830-7 dated 5th instant, I have the honor to state that no processes under Act No. XIII of 1859 have been received from the British Territory for execution in this District & that consequently no opinion on the working of the arrangement in

in this District can be offered -

I have the honor to be
Sir
Your most obedient Servt
[signature]
District Magistrate

DDC

General, (Serial No. 23.)

13.7.87

18 87.

From The District Magistrate
Bangalore.

To

The Secretary to ~~Chief Commissioner~~, the Dewan
~~General Department~~ of Mysore.

66. 1-78-33

Dated 13th July 1887.

Despatched

Received

32

**Enclosures No. nil**

General No. 2 / 1887—82.
No. 67

The Dewan's Proceedings No. 28307 dated 5th Instant.

---

I have the honor to submit the Return called for in the above.

2. The greater number of these Processes come from Coorg. They can hardly be said to be used by Coorgs to force ignorant coolies into their service.

3. A few cases of hardship under the Act may occur occasionally but as will be seen by the Return, the

number of cases that occur are comparatively few, and are not increasing in numbers.

L Rutherfurd

District Magistrate
Bangalore

Return of the Number of processes for offences under Act XIII of 1859 received from British Territory.

| 1878 | 1879 | 1880 | From 1st January to 31st May 1881. | Total | Remarks. |
|---|---|---|---|---|---|
| 2 | 32 | 32 | 7 | 73 | |

Dy. Commissioner's Office
Bangalore District
13th July 1881

Compd.

S Rutherfurd
Dy. Commissioner

187

From Deputy Commissioner
Kimtur District.

To the Dewan of Mysore.
Secretary to ~~Chief~~ ~~Commissioner~~,
General Department.

Dated 14th July 1887.
Despatched
Received

ENCLOSURES NO /

General No. } 1887 —72
No. 177

Secretary's No 2830-7/75 Inst.

Submits a statement showing the number of processes received from the British Territory and executed in this District during the last 3 Calendar years and up to end of May last.

65.1-78-3

33

No: 177

Summur Records

Deputy Commissioner's Office
Tumkúr - 14th July 1881.

To,

The Secretary to the
Dewan of Mysore -
General Department

Sir,

In acknowledging receipt of Dewan's Proceedings No: 2830-7. of the 5th Instant, I have the honor to submit herewith a Statement shewing the number of processes received from the British Territory and executed in this District during the last 3 Calendar years and up to end of May last; and to state that the present arrangement for the Execution of these Warrants seems to have been working satisfactorily -

No Complaint of the processes being issued by Coorg Magistrates to force ignorant men into their service has yet been received in this Office.

I have the honor to be
Sir,
Your most obedient Servant

Asst Dy Commr
Offg: Dy: Commissioner

Rbl

Statement shewing the number of processes for Offences under Act XIII of 1859 received from British Territory and Executed in the Tinnúr District during the last 3 Calendar years and up to the End of May 1881.

| From whom processes were received. | Number of processes received and Executed | | | | Total |
|---|---|---|---|---|---|
| | 1878 | 1879 | 1880. | 1st January to May 1881. | |
| Magistrate of Bellary | 10 | 1 | 1 | " | 12 |
| Superintendent of Coorg | 12 | 1 | " | " | 13. |
| 1st Assistant Superintendent of Coorg | 3 | 39 | 21 | 6 | 69 |
| Sub Magistrate Wellington | " | 1 | " | " | 1 |
| Joint Magistrate of Cannanore | " | " | 1 | " | 1 |
| Sub Magistrate of Coonnoor | " | " | " | 1 | 1 |
| Total | 25. | 42. | 23. | 7. | 97. |

Tinnúr
14th July 1881.

H. G. Pearson
Offg Deputy Commissioner

(General Serial No. 29.)

1881.

From The Dt Commissioner
Raichur district

To Dewan
The Secretary to the ~~Chief Commissioner~~
of Mysore General Department.

Dated 16th July 34
Despatched
Received

Enclosures No. one

General No.
No. 278 } 1881-82.

Submits a statement of processes received from the British Magistrates during the last 3 years under breach of Contract act and offers his opinion generally regarding the measure which the present arrangement brings to bear upon the ignorant Coolies of this state.

18-7-81

No 278 Kapan District,

Deputy Commissioner's Office,

Dated. 16th July 1891.

To,

The Secretary to the

Dewan of Bhpore,

General Department.

Sir,

As called for in the Dewan's order No 2,830.7/67 of the 5th instant, I have the honor to forward herewith a statement of processes received from the British Magistrates during the last three years under the breach of Contract Act.

2. There have been no actual Complaints regarding the pressure which the present arrangement brings to bear upon the ignorant Coolies, and we have no means of ascertaining how far the defaulting Coolies have proper excuses for leaving the work contracted for by them on the ground of ill health &c. The Taluks from which the majority of such Coolies

proceed are Naganangala, Chen=
naroyapatna and Attikuppa —.
Amildar Venkatachari of the last
mentioned Taluk has only recently
joined that Taluk and his statement
that there is no occasion to apprehend
much illusage is not entitled to
much weight. The opinion of the
Chennaroyapatna Amildar is opposed
to that of his Police Inspector who is
now Acting Amildar of Kamballi,
and the latter fears that the free
issue of such warrants operates as
a threat if not inducement to many
an unwilling Cooly to leave his home
and follow his exacting Master.
In this opinion I concur. The Amil=
dar of Naganangala, which is also
one of the chief places of such deporta=
tion, is of the same opinion, and states
he has received information of
some bad or indifferent treat=
ment. Under these circumstances,
and in the present state of our
knowledge of the subject, I am of
humble opinion that the present
arrangement does expose our Coolies

to a little hardship, the exact nature and magnitude of which it is difficult to ascertain.

3. The facilities now afforded to the Coffee Planters in Coorg and Wynad, from whom our agricultural and other classes undoubtedly derive some Capital, are no doubt a source of Convenience to them, while they help our Ryots to save some money to meet the Government demand for Kandayam &c., and furnish them with an outlet for the energy and industry of the surplus members of their families. But at the same time it cannot be concealed that much of the labour, which should be available for local agricultural purposes, is drawn away to the Coffee tracts, and thereby no small inconvenience is experienced by our non-cultivating Landholders. This is however a matter which should find its own settlement by the natural effects of the ordinary Economic laws, and I would not therefore do anything to regulate this exodus of our Coolies by any artificial and arbitrary rules.

4. It behoves us, however, to see to the Comfort and the proper treatment of the subjects of this State laboring in a foreign land the climate of which is admittedly unhealthy, and with this object I would respectfully suggest two modifications of the present system, both of which are in my humble opinion necessary to secure that protection of our ignorant classes which at present is wanting. The first condition I would introduce is that all Mestrees who engage to procure Coolies should be duly licensed by the authorities of Mysore, such authorities being District Magistrates, and such men only should be employed by the Coffee Planters for the purpose for which they are licensed. This Course will enable us to seek in the proper quarter for any information which we may want regarding such people, while the fear of being denied a license will be a sufficient check on the Mestries to give no room to Complaints from the Coolies engaged by them, and

induce them to see to their proper treatment in the shape of proper lodging, timely medical attendance &c$^{a}$, in the places where they work. By adopting this plan we substitute a responsible agency for dealing with men, some of whom at least are not, by their intelligence and condition of life, able to protect themselves.

5. The other condition I would introduce is that in all instances of issuing such processes, the British Magistrates issuing them should forward to the District Magistrates of Mysore a short statement of the circumstances under which the process has been issued. If it is feared that the vesting of the District Magistrates in Mysore with any discretionary power to decline executing such warrants for reasons which should be assigned would result in causing delay and confusion, I would at least place them in a position to know why persons are dragged under a warrant to a foreign land, and to report to their Government any instances of apparent hardship or illtreatment.

6. In conclusion I would suggest the appointment of one Inspector for Wynaad and another for Coorg, whose duty it should be to pay periodical visits and ascertain and report upon the condition of our Coolies working there. The expenditure, which such appointments will cause, should be borne by the Coffee Planters at whose instance the warrants are issued, and it may be done by the present system of levying a fee for each process.

I have the honorable
Sir,
Your Most Obed[t] Servant

W. Elliot

Dy Commissioner
Kopan District

Statement shewing the number of Processes fo
British Territory and executed from January

| Names of Magistrates to whom processes were sent for execution from British Territory. | Received from the Magistes in Coorg | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | 1878 | | 1879 | | 1880 | | Upto the end of May 1881 | | Total. |
| | Executed | Unexecuted | Executed | Unexecuted | Executed | Unexecuted | Executed | Unexecuted | |
| District Magistrate Hasan | 13 | 42 | 25 | 48 | 28 | 60 | 8 | 22 | 246 |
| 3rd Class Magistrate Hasan | " | " | " | " | " | " | " | " | " |
| Do Manjarabad | " | " | " | " | " | " | " | " | " |
| Do Arkalgud | " | " | " | " | " | " | " | " | " |
| Do Narsipur | " | " | " | " | " | " | " | " | " |
| Do Alikuppa | " | " | " | " | " | " | " | " | " |
| Do Nagamangala | " | " | " | " | " | " | " | " | " |
| Do Chennarayapatna | " | " | " | " | " | " | " | " | " |
| Do Kamballi | " | " | " | " | " | " | " | " | " |
| Do Belur | " | " | " | " | " | " | " | " | " |
| Total... | 13 | 42 | 25 | 48 | 28 | 60 | 8 | 22 | 246 |

Hasan Dy Com's Office
Dated 16th July 1881

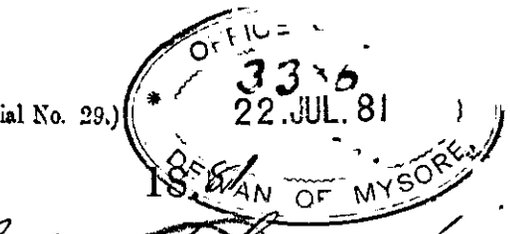
Offences under Act XIII of 1859 received from
1878 to 31st May 1881.

| Received from Wynaad Taluk. | | | | | | | | | Grand Totals | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1878 | | 1879 | | 1880 | | Upto the end of May 1881 | | | | | |
| Executed | Unexecuted | Executed | Unexecuted | Executed | Unexecuted | Executed | Unexecuted | Total. | Executed | Unexecuted | Total. |
| " | " | 1 | 3 | 2 | - | - | - | 6 | 77 | 175 | 252 |
| " | " | - | 1 | " | 1 | " | " | 2 | " | 2 | 2 |
| - | - | - | - | - | - | - | - | - | - | - | - |
| " | " | 3 | " | " | " | " | " | 3 | 3 | - | 3 |
| " | " | " | " | 2 | 2 | " | " | 4 | 2 | 2 | 4 |
| 2 | 3 | 4 | 4 | 3 | 2 | " | " | 14 | 9 | 5 | 14 |
| 9 | 5 | 21 | 12 | 31 | 12 | 2 | 1 | 93 | 63 | 30 | 93 |
| " | " | 1 | - | 14 | 2 | " | 1 | 18 | 15 | 3 | 18 |
| " | " | " | " | " | " | " | " | " | " | " | " |
| " | " | " | " | " | " | " | " | " | " | " | " |
| 11 | 8 | 30 | 16 | 52 | 19 | 2 | 2 | 140 | 169 | 217 | 386 |

Wm Thackeray.

Dep Commissioner
Wynaad District

(General Serial No. 29.)




18 81

*From* The Deputy Commissioner Kolar District

*To* The Dewan

The Secretary to the Chief Commissioner of Mysore Department.

*Dated* 19th July

*Despatched*

*Received* 23

**Enclosures No.**

*General No.* 559 } 1881–82.
*No.* 236

Lr. 1-78-36

The Dewans Proceedings No. 28307 67 Dy 5th instant Reporting upon the working of Act XIII of 1859. —

22-7-81

Duty with the Sitter

Deputy Commissioners Office
Kolar District
Dated Kolar 19th July 1881

To,

The Secretary to the
Govt of Mysore)

Sir,

With reference to the Govt Proceedings No. 2830-7 of 67 the 5th Instant, I have the honor to report that only one Coolyman apprehended on a warrant issued by the Wynaad District Magistrate under Act XIII of 1859, and surrendered in November 1880, by the Amildar of Gudibanda. The Amildars of the other Talukas report that no such warrants were received for execution from the British Territories during the last three Calendar

Calendar years, and up to the end of May in the current year.

2. Coolies are not largely recruited from this District, but attempts are now and again made by masters in the Department Public Works and others unconnected to obtain the aid of the Criminal Courts to enforce the engagement of their Coolies for personal labour and service; but from the nature of the contracts pleaded, they are generally referred to the Civil Courts

3. My experience of the present arrangement has been gained in the Hassan and Shimoga Districts, and I am of opinion that the law is capable of being, and is also, used as a means of oppression

oppression on the ignorant and
weak; and that if a criminal
labour law is required at all,
a simpler and more easily
workable enactment ought to
to be substituted.

I have the honor to be
Sir
Your most Obed Servant
W Macdonnell Jr
A D Commissioner

W Jr P

General, (Serial No. 29.)

OFFICE
28.JUL.81
NEW

1881.

From The Deputy Commissioner
Mysore District

To Dewan of Mysore
Secretary to ~~Chief Commissioner~~,
&c ~~General Department~~.

35

Dated 23
Despatched 26 July 1881
Received

65. 1-74-37

**Enclosures No. 1**

General No. 177 / No. } 1881—82.

Observations on the
working of the Breach of
Contract Act No 13 of
1859

28.7.81
RD

No 177

(35)

From the Commissioner Assistant
Bryson District

(Dated Bryson 23rd July 1887.
Despatched 26th July 1887)

To

The Secretary to the
Dewan of Bryson.
Bangalore

Sir,

I have the honor to forward the Statement called for in Circular No 2830-J/67 of 5th instant.

2. I think there is ground for believing that the Act is made use of as an engine of annoyance occasionally

3. Complaint has been made that at instigation of Mahajans warrants are obtained for parties not under contract, this of course can only be cleared up after the arrested party appears before the Magistrate or Court whence warrant issued

4. A Mahajan also sometimes points out the man and then disappears himself, this may also arise from corrupt motives.

5. Arrested parties have seven hours taken before proving Courts

6. For these reasons I consider the present working of the Act unsatisfactory

tory and would suggest for consideration the following points:

7. A list of Honorary Magistrates and their signatures should be furnished to the Deputy Government for distribution to all Deputy District Officers ✓

8. Stress in the warrant should invariably be laid upon the place where the arrest is effected before which arrested party is to be produced, this is not always done, and that the Court seal should be legibly impressed invariably. ✓

9. These measures would probably remedy the hardships mentioned in clauses 4 and 5 as the issuing Magistrate could and should be bound to take cognizance of any wrong doing.

10. The remedy for hardship under para 3 might be met by all warrants being returned unexecuted should the party not have been produced when the engagement was entered into before the Talukdar Amildar or Police Inspector with a roll who would ascertain if the engagement was genuine and the advance admitted in which case he would sign the Roll opposite the parties names and then return it to the Magistrate: if not so signed the Magistrate

Answering

knowing the warrant would not be executed would not issue one, nor would the Planters apply for it but would this Majesty answerable for the alleged advances. Another method though probably one that would be also objected to by the Planters would be the appointing of Agents in the remitting Districts by the different Planting Districts who would furnish the Bryan Government with a list of their Agents, and these Officers (their Agents) to be bound to keep Registers of all Masters and Coolies engaged, to whom they and not the Masters should make advances, the Agents books to be open to inspection of Bryan officials so that persons wrongfully informed against could obtain redress from the Agent, and on his default thereof would it be necessary for the Bryan Officials to ascertain from the books which the Complainant was or was not the party who complained of not being under Contract. It appears to me that some such scheme as herein roughly traced would secure the Coast from wrongful and retaliatory arrest, secure a better class of Masters and bona fide laborers to the Planters while saving them from much loss arising from defaulting Masters absconding laborers

and

and advances nominally made by Braithwaite who had otherwise found the money.

I have the honour to be

Sir,

Your Excellency's obedt. Servant.

Deputy Commissioner

Bijapur District.

Statement, Shewing the number of procapas for offences under Act No 13 of 1859 received for execution from the Magistrates of Her Majesty's Territory during the last 3 Calendar years and up to end of May in the Current year.

| Name of Taluk | Number of warrants received | Executed | Returned as unexecuted | Pending | Remarks |
|---|---|---|---|---|---|
| Mysore | 27 | 26 | 1 | " | |
| Hoskagram | 35 | 24 | 11 | " | |
| Mandya | 123 | 71 | 52 | " | |
| Malvalli | 61 | 47 | 12 | 2 | |
| Talkad | 66 | 46 | 20 | " | |
| Yelandur | 71 | 52 | 19 | " | |
| Channapatna | 200 | 200 | " | " | |
| Nanjangud | 37 | 24 | 13 | " | |
| Gundlupet | 46 | 46 | " | " | |
| Heggaddevankote | 6 | 6 | " | " | |
| Periyapatna | 4 | 2 | 2 | " | |
| Yedatore | 5 | 3 | 2 | " | |
| | 681 | 547 | 132 | 2 | |

Mysore Deputy Commissioners Office
July 1871

D.C. Mysore

Deputy Commissioner
Mysore District

1883

From

bgg
25.APR.83
73

The Secretary to the
Chief Commissioner
of Coorg.

To

36

The Secretary to the
Dewan of Mysore.

Dated
Despatched } 25th April 1883
Received

Encl.

No 161
C. No. 29

Requesting to be furnished with a copy of the correspondence between the Judicial Commissioner and the late Secretary to the Chief Commissioner on the charge for the issue of warrants from Coorg under Act XIII of 1859

25.4.83

No. 161/29. Coorg Chief Commissioner's office
Dated Bangalore 25th April 1883.

(36)

From

Major H. Wylie C. S. B
Secretary to the Chief Commissioner
of Coorg

To

The Secretary to the
Dewan of Mysore.

Sir,

Adverting to the Proceedings of the Chief Commissioner of Mysore dated the 16th September 1879, I am desired by the Chief Commissioner to request that you will be so good as to furnish me with a copy of the correspondence between the Judicial Commissioner and the late Secretary to the Chief Commissioner of Mysore regarding the fee that should be charged for warrants issued from Coorg under Act

XIII

XIII of 1859 for execution in Mysore.

I have the honor to be,

Sir,

Your most obedient servant,

H. Wyllie

Secretary.

Mr. L

No. 161/29. Coorg Chief Commissioner's office
Dated Bangalore 25th April 1883.

(36)

From

Major H. Wylie C. S. S
Secretary to the Chief Commissioner
of Coorg

To

The Secretary to the
Dewan of Mysore.

Sir,

Adverting to the Proceedings of the Chief Commissioner of Mysore dated the 16th September 1879, I am desired by the Chief Commissioner to request that you will be so good as to furnish me with a copy of the correspondence between the Judicial Commissioner and the late Secretary to the Chief Commissioner of Mysore regarding the fee that should be charged for warrants issued from Coorg under Act

XIII

No. 603 / 24 . 881

Bangalore 7th May 1883

(31)

To

The Secretary to the
Chief Comr of Coorg

Sir,

Ref. 1-78-35

As requested in your letter No. 161/29 of the 25th ultimo, I have the honor by desire of the Dewan to forward herewith copy of the correspondence noted in the margin regarding the execution in Mysore free of cost, of warrants issued by the Coorg Courts under Section 2 of Act XIII of 1859.

I have &c

for Secy.

From the Judl. Comr. to the Secy. to the Chief Commr.
No 3071/370 dy 5th Dec/80
Do — do — from do
No 7291/149 dy 12th Jany/81.

(General Serial No. 31.)

1883.

From

37

To The Secy to the Chief Commr of Coorg

Dated 7 Decr 1883

Despatched —

Received

**Enclosures No. 1**

General No. 603

No. 24

Forwards copy of the Correspondence regarding the escentain in Mysore free of cost of warrants issued by the Coorg Courts.

(General Serial No. 31.)

1883.

*From* The Secretary to the Irish Govt Coming

*To*

*Dated* 12 March 1883.

*Despatched*

*Received*

**Enclosures No.**

*General No.* 279

*No.* 49.

Pointing out that the correspondence on the subject of fee paid for execution in Ireland of warrants issued in Cong under Act XIII/59 is still incomplete & asking for some more papers.

No. 279/49

Coorg Chief Commissioner's Office
Dated Bangalore 12th May 1883

38

From

Major H. Wylie C.S.I.
Secretary to the Chief Commissioner
of Coorg

To

The Secretary to the
Dewan of Mysore.

Sir

I am desired to acknowledge, with thanks, receipt of copies of the two letters forwarded with your letter No. 603-24 dated 7th instant, but as the correspondence on the subject relative to the fee paid for the execution in Mysore of warrants issued in Coorg under Act XIII of 1859 is still incomplete, I am desired to request that copies of the proceedings of the late Chief Commissioner of Mysore on the subject dated 16th September 1879 and of the letters &c, on which those proceedings were based, and of any other letters or orders which may have reference to the matter

in hand, may be obligingly furnished to this Office at your earliest convenience.

I have the honor to be
Sir
Your most obedient Servant

A. H. Taylor
Secretary.

J.W.S.

12-58 R
Int Dom

Office of the Dewan of Mysore
Bangalore 19th Sept 83

(37)

No 814/43

To
The Secy: to the Chief Commr
of Coorg

Lb. 1-78-41

Sir,

With reference to your letter No 279 dated the 12th Instant, I am directed to forward a copy of the Correspondence noted in the margin relative to the Execution in Mysore of Warrants issued in Coorg under Act XIII - 1859.

I have &

To
The Secy

No 1996/90 dated 25th August 1879 from the Asst Commr Coorg.

4680/78 dy 16-9-79 Copy of late Ch. Commr

(General Serial No. 31.)

1883.

*From*

*To* The Secretary to the C. C. of Lond

*Dated* 19 May

*Despatched*

*Received*

**Enclosures No. 2**

*General No.* 614

*No.* 43.

Forwarding copy of certain correspondence regarding the question of Irregular Marriages in Lond

1883.

29 MAY 83

DEPT. C M

161

From

The Secretary to the Chief Commissioner of Coorg.

To

The Dewan of Mysore

40

Dated } 29th May 1883.

Despatched }

Received }

Enclosures No. One

General No. 382 } 1883-84.

Dept. No: 67

Requesting him to Communicate to this office the Views of His Highness the Maharaja's Government on the subject of reducing the amount of batta paid for the execution in Mysore of warrants issued under Act XIV of 1859 by the Courts in Coorg.

29.5.83

Despatched

Forward Orders & Returns

Entries in the Check

Statement of this Date

No 362/67

Coorg Chief Commissioner's Office
Dated Bangalore 24th May 1883

(40)

From

Major A. Wylie C.S.I.
Secretary to the Chief Commissioner
of Coorg

To

The Dewan of
Mysore

Sir

I have the honor to for-
-ward herewith for the consideration
of the Durbar copy of a letter No
21 dated 20th April 1883 from the
Judicial Commissioner of Coorg and
of its Enclosures, on the subject of
reducing the amount of batta
paid for the execution in Mysore
of Warrants issued under Act
XIII of 1859 by the Courts in Coorg,
and of returning the fee in cases
in which the Warrants are return-
ed unexecuted, and I request that
the views of His Highness the Maha-
raja's Government on the subject

may

may be communicated to this Office.

2. I beg to point out that by Para 5 of the Proceedings of the late Chief Commissioner of Mysore No. 4680-78 dated 16th September 1879 the fee of Rs 4, now levied, is subject to re-consideration, and that the return of the fee in the case of Warrants which are returned unexecuted is recommended both by the Commissioner and by the Judicial Commissioner of Coorg.

I have the honor to be
Sir
your most obedient Servant

A. Kylie.
Secretary

J.R.L.

No 21 Bangalore 20th April 1883

(404)

From

The Judicial Commissioner
of Coorg

To

The Secretary to the
Chief Commissioner of Coorg

Sir

I have the honor forward herewith copy of a letter No 150 dated the 31st ultimo (and of its enclosures) from the Commissioner of Coorg, recommending that the Mysore Government may be moved to return the batta paid for the execution in Mysore of each Warrant issued under Act XIII of 1859 in cases in which the Warrant may be returned unexecuted.

2. Referring to Para 5 of the Proceedings of the Chief Commissioner of Mysore No 4680/J. 78 dated the 16th September 1879, the Commissioner reports that the fee may probably be reduced to ~~Rs~~ 2/- but

I .

I am of opinion, that the maximum fee should remain at Rs 4/- and that it should be left to the discretion of the Magistrate issuing the warrant to reduce the fee in any case if he thinks proper, with reference to the distance from the place of issue to the place where the warrant is to served.

3. I agree with the District Magistrate that in cases in which the warrant is not served, the fee may be returned, and that in cases, where a Warrant has to issue more than once, in the same case, only one fee should be charged.

I have &c

(Signed) C. G. Plumer

Acting Judicial Commissioner.

No. 150.

№ 150 Coorg Commissioner's Office
Dated 31st March 1883

(406)

From

The Commissioner
of Coorg.

To

~~The~~ The Registrar to the
Judicial Commissioner of Coorg
Bangalore

Sir

In submitting copy of letter № 1128-300 of the 22nd March 1883 received from the District Magistrate of Coorg, suggesting that the Mysore Government may be moved to return the batta of Rs 4 -"-"- in cases in which a warrant issued under sect XIII of 1859 is returned unexecuted, I have the honor to observe that the charge should in my opinion be refunded for the reasons which are fully stated by Major Nagrath.

2. I also avail myself of this opportunity to represent that the charge is in itself excessive, as most of the coolies employed in Coorg

come

come from the adjoining Taluks of Periapatam, Yedatore, Narsipur, Arkalgod, and Chenrayapatam which are within two or three days march of the Frontier, and in the case of coolies arrested in those Taluks it admits of being reduced to Rs 2.

3. As the Mysore State benefits indirectly to a great extent by the large Sums which are brought back by return coolies from Coorg, I am confident that if the matter be fairly represented to the Dewan by yourself and the Resident he may be pleased to see the desirability of relieving the planters altogether of this extra and I submit unnecessary charge.

I have &c
(Sd) W. Hill
Commissioner

No 1128-300

No 1128-300 Coorg District Magistrate's Court
Dated 22nd March 1880

(40 C)

From

The District Magistrate of Coorg

To

The Commissioner of Coorg.

Sir

Adverting to the proceedings of the Chief Commissioner of Mysore dated 16th September 1879 No 4680/J.78 prescribing a fee of Rupees 4 for the execution of each warrant under Act XIII of 1859 issued by the Coorg Magistrates, I have the honor to bring to notice that this fee was intended to defray the diet ing expenses of the prisoner on his way from Mysore, but from para 4 of the proceedings under reference it will be seen, that it is payable whether the process is served or not which I submit is a hardship on the planters who constantly complain to me of this expense.

2. In several cases in my Court I had to recover and forward to the Districts in Mysore the batta of Rupees 4 - more than once

for

for the same accused whenever his warrant was retransmitted for execution, after being returned unexecuted owing to his absence &ca.

400

3. As the Mysore Government incurs no expense in directing the Police to apprehend the accused, I do not see the necessity of paying Rupees 4/- when the warrant is not executed in the districts of the Madras Presidency if a warrant is not executed, the batta is always returned to the Court that issued the process. I would therefore request the favour of your addressing the Resident in Mysore to move the Mysore Government, to adopt the same course that obtains in the Districts of Madras.

No. not in directing but in arresting. Police time is spent & that is money

I have &ca

(Signed) H. M. S. Magrath
District Magistrate of Coorg

"Copies"

A. Kyle
Secretary

H.M.S.

65. 1-78-43

41

I have entered letter No 3629/67 dy 29 may 83 with enclosures from Asst Commr (Genl)

Endorsement

No 15-80-8/29 dy 29.6.83

Copy forwarded to Asst Commrs (Distts) & Asst Dir Mines for early expression of opinion.

I. Begum

AJ

Asst

27.6.83.

(General Serial No. 31.)

1883.

41

*From*

*To* The Deputy Commissioner of Dts & the Subordinate officers.

*Dated* 29th June.

*Despatched* —

*Received*

**Enclosures No.**

*General No.* 1580-8

*No.* 29

Forwarding copy of a commn from the Sett. Dist. C. of Coorg, regarding ~~the~~ ~~payment~~ the amt. of batta paid for the execution in Mysore of warrants issued under Act XIII of 1859 by the Courts in Coorg.

Trans from Coorg Dts

(General Serial No. 29.)

-6 JUL 83
18 83 EWAN MY

From The Dyson & Kadur Dt. Dewan

To The Secretary to the ~~Chief Commissioner~~ of Mysore, ~~Department~~

65. 1-78-44

42

Dated 3d

Despatched "

Received July.

Enclosures No. 4

General No. 188 } 18 —8.
No.

Expressing opinion on the subject of reducing the amount of batta paid for the execution in Mysore of warrants issued under Act XIII of 1859 by the Courts in Coorg. A.

What other Dist reports are in arrears? Send a reminder.

6/7

Reports are yet to come from Kunds Kolar, Tumkur Mysore & Shimoga Hassan Mysore. Reminders put up Clerk 7/7/83

(44)

Kadur Dt. Dy. Commissioner's Office,
Chikmagalur, 3d July 1883.

To,

The Secretary to the
Dewan of Mysore.

Sir,

With reference to the Under Secretary's No. 1580-8/29 of 29th Ultimo, I have the honor to state, that the practice now prevailing of keeping the batta money whether the warrant received under Act XIII of 1859 is executed or not, seems to be unfair, and that the present arbitrary charge of Rs: 4 is also heavier than necessary. Probably two annas for every 15 miles from the Coorg Frontier would recoup all expenses.

2. I take this opportunity

of pointing out that, after all,
the complaint of the Coorg Planters
is not so serious as that of
the Mysore Planters, whose
Coolies, from South Canara,
can cheat them with impunity,
warrants, under Act XIII of 1859,
issued by the Mysore Magistracy
not being executed in Her
Majesty's Territories.

I have the honor to be,
Sir,
Your most obt. Servant,
J. F. Muddyol
Deputy Commissioner,
Kadur Dt.

Thos.

(General Serial No. 29.)

-3 JUL 33

1883 N 251

From The Dy. Commissioner
Bangalore Distt

To The Secretary to the Chief Commissioner
of Mysore Revenue Department.

43

Despatched 3rd July

Received

Enclosures None

General No. 339 } 1883-84
No.

Expressing opinion in the matter of reducing the batta for execution in Mysore of warrants issued under Act XIII of 1859 by Coorg Magistrates.

3.7.83.

D. No. 339.

Bangalore District
Dy. Commr's Office
31st July 1883.

To

The Secretary to the
Dewan of Mysore

Sir,

With reference to your letter No. 1580-8 dated 29th Ultimo, I have the honor to state that I am of opinion that where the warrants are returned unexecuted, the fees should also be returned. As this District is at some distance from Coorg, and the expenses for transmitting arrested parties proportionately heavy, the fee, viz Rs 4, does not seem excessive; but in other Districts closer to Coorg, it might be reduced.

I have the honor to be
Sir
Your most Obt Servant

[illegible]

Dy Commissioner

1780-

1873.

From The Deputy Commissioner
Chitaldroog Dt.

To

Secretary to ~~Chief Commissioner~~, Dewan
of Mysore ~~General Department.~~

Dated 6th

Despatched

Received 3 July 83

44

Enclosures No.

General No. 384
Pol. No. 269 | 1873—84.

Sir,

With reference to your circular No. 1580-8/29 dated 29th ultimo forwarding for opinion copies of correspondence relating to the fees charged for warrants issued under Act XIII of 1859 for service in the Mysore country, I have the honor to state that having regard to the position of this District between which and the Tyrnaad there are 20 stages as reported by Mr. Varadarajengar in his letter No. 67 dated 16th July 1879, I do not

Await Statistics
5th Nov
65. 1878-46

consider the average fee of Rs 5
fixed by the late Chief Commissioner
in Proceedings No 4680 dated
16th September 1879 to be high but
that the fees in cases in which
the warrants are not executed
may properly be returned.

I have the honor to be,
Sir,
Your most obed. Servt

Deputy Commissioner
Shimoga Dt

1883

From The Personal Asst. Comr.
Mysore

To The Dewan
Secretary to Chief Commissioner of Mysore,
Department.

45

Dated 7th July 1883
Despatched
Received

Enclosures No. 1

General No. 221 | 18 —8.
No.

Reporting on the subject of the refund of Rs 11 a amount in Cases of warrants returned unexecuted under sec 2 of Act No. XIII of 1859 from the Coorg Magistrate.

Asst Stat Officer
9/7/83

66. 1-78-47

No. 221

Insane Dy Commr's office
Dated 7th July 1883

To

The Secretary to the
Dewan of Mysore

Sir

In reply to your letter No.
1580-8/29 of the 29th Ultimo, calling
upon me for an expression of my
opinion regarding the refund of
Batta amount in cases of war-
rants returned unexecuted
under section 2 of Act No XIII of
1859 from the Magistrates of Coorg,
I have the honor to report that
No: 4 required by Proceedings
No: 4680-8/78 dated 16th September
1879, for the arrest and delivery
of persons under section 2 of the
Act was fixed as a fair average
to cover all cases, whether the
actual Cost be greater or less,
and in consideration of such
payment, all charges incurred
within the Province in providing
food

goods, except for periodicals as were paid by the Bryoone Govern-
-ment.

2. I do not therefore deem it advisable to reopen the question, which was disposed of after due consideration by the late Chief Commissioner in Proceedings No: 12298/218 dated 31st March 1879, in cases whether the amounts were surrendered or not. I think that extra charges, borne by the State in some cases of surrender on account of long marches from the recruiting Talukas, ought to be made good from Rent not refunded unexercised.

3. So far as I can find the warrants under the Act from Coorg Magistrates are exercised in almost all the near and distant Talukas of this District not confined to the adjoining Talukas of Periapatna, Yedatore, Hole Narsipore and Chennapatna

the

the pre-emitting of Coolies in our Ry.
in the Taluks of Nandydroog, Sinnaka-
-kuddoo Nandidroog and Nagamanga-
-gala.

4. If a fresh warrant were
to be executed as second time in
one and the same case, I think
it unnecessary to demand the
fee second time.

I have the honor to be
Sir
Your Most Obedt Servt

[signature] K.B.

Dy Commissioner
Mysore Districts

WM

18 83. No. 594

14 JUL 83

From

The Deputy Commissioner
Kolar Dist

To

the Secretary to ~~Chief Commissioner~~ of Mysore,

Revenue Department.

50

Dated 11th July 1883

Despatched 13th July 1883

Received

Enclosures No. Nil

General No. 457
No. 201
} 1883—84.

Lo. 1-78-48.

Submitting his opinion ~~about~~ the reduction of fees for executing Company warrants received in the year for execution

14.7.83

Write Dy Com. to submit opinion for Govt

Submit for Govt

14/7

30

4457
201

[illegible]

[illegible] 11th July 1883

[illegible]

[illegible]

[illegible]

[illegible] of Secretary to Govt No 1580-8
29
[illegible] ultimo on the subject of an
application for reimbursement
[illegible] reduction of
[illegible] corresponding to that ran
received in Mintage under the Contract
Act XIII of 1859, I have the honor to
say that such moneys have been
[illegible] received in this office. From
[illegible] records it appears that the 1,49
[illegible] amounts of the conversion have been
[illegible] received. The last amount is credited
[illegible] on the last day [illegible] 1879
[illegible] and returned
without extra coil. Four mil. before
going the existing rate of charges may
be reduced to 2 annas.

2. With regard to the question of
refunding the rate levied on [illegible]
warrants, I beg to state that the

Over

order in case of the late Chief Commissioners proceedings No. 1650-9 78

of the 16th ult. to issue / my decree to be final, and does not entertain the application in the matter, and in the case of the late Chief to in para 5.

I have the honour to be,
Sir,
Your most obedt. Servt.

Deputy Commissioner

14.7.83

OFFICE OF
1883.2
14 JUL 8
DEWAN OF MYSORE

From The Dy Commissioner
Mysore District

To The Dewan
Secretary to ~~Chief Commissioner~~ of Mysore,
Department.

65. 1-78-49

47

Dated 12th July 1883

Despatched

Received

**Enclosures No.**

General No. 230 } 18 —S .
No.

Reminder despatched

His docket No: 1780-6/33 dated 10th Instant—
Calling for a reply to
No: 1580-8/29 of 29th Ultimo,
regarding the reduction
of batta for executing
warrants issued under
Act XIII of 1859 by
Coorg Magistrates.

Has the honor to
invite reference to
this office No: 221 of
7th Instant.

K. 13

Dy Commissioner
Mysore District

WM

(General Serial No. 29.)

14.JUL.83

18.83-84

From The Assistant Commissioner
Chitaldroog Sub Division

To

The Secretary to the ~~Chief Commissioner~~ Dewan
of Mysore, General Department.

(48)

Dated 12th July 1883.

Despatched

Received

Enclosures None

General No. 127 } 1883-84.
No.

Submits opinion on the subject of advancing fees stated for Excavating in Mysore warrantsissued under Act XXII of 1859 by Droog Magistracy.

14.7.83

1 Do

of searching for him, and in such cases I do not consider it a hardship if the Nyporé Government were to claim a Priority of the fees.

I have the honor to be,
Sir,
your most obedient servt:

D. Emmanuel Pinto
Assistant Commissr:
Chidambaram Sub Div:

Ro. Ru:
127-"-

Chitaldroog Sub Division
Assistant Commrs: Office
12th July 1883-

From.

The Assistant Commissioner
Chitaldroog Sub Division

To.
The Secretary to the Dewan
of Mysore. General Departt:

Sir,

Ro. No. 1580-8-29

With reference to your Ro: 1580-8-29 of the 29th June last giving cover to the correspondence on the subject of re-ducing fees levied for executing in Mysore warrants issued under Act XIII of 1859 by Coorg Magistracy. I have the honor to report that the fee of Rupees 4-"-" now levied is in my opinion not excessive, particularly in cases in which arrests are made in distant Talooks of the Mysore State- All the Talooks of this Sub Division are situated at more than 200 miles from Coorg, and the expenses of conveying the parties arrested in these parts will certainly reach the amount of fees at present paid, if not exceeded - It seems

to

to me just and Equitable to fix the fees, taking into Consideration the distance to be Travelled - A fee of three Rupees for a distance of 50 miles and less is in my opinion Reasonable, and above that distance an additional fee of Rupees 2-11-4 may be levied for a distance of every 50 miles or fractions thereof -

2. My opinion, on the Subject of returning fees in cases in which warrants are returned unexecuted is, that it is nothing but Reasonable that they should be returned, if they are intended for the defraying Expenses alone of the parties arrested -

3. It will be seen from the late Chief Commissioners Proceedings quoted in the Margin that these fees are also intended to cover the costs of Executing the warrants, and escorting the parties arrested, and I think the Govt. of State is justified in claiming them. Whether, or not the party against whom a warrant is issued, is arrested, yet this State is put to the Expense of

Ex: 8761-267 21st January 1879.

Ex: 2493. of Jul: 24 19th September 1879-

1873/84.

*From*

The Deputy Commissioner
Shimoga Dist.

*To*

The Dewan of Mysore
*Secretary to Chief Commissioner,*
*General Department.*

66 1-78-52

49

*Dated* 13th Feb 1884

*Despatched*

*Received*

**Enclosures No.--**

*General No.* 404 } 1873—74
*Pol. No.* 286

Remainder destroyed

His no: 1780-6 of 10th Instant
33
calling for an early
reply to his no: 1580-8
29
dated 29th June last
on the subject of remains
balls for executing in
Mysore warrants issued
under act XIII of 1859
by Coorg Magistrates.

Has the honor to state
that the above reference
has already been replied
to in this office no: 384
269
dated 6th Instant.

Deputy Commissioner
Shimoga Dt

(General Serial No. 29.)

1883.

*From*

The Asst Commissioner
Nagamangala Division

*To*

Dewan

~~The Secretary to the Chief Commissioner~~

of Mysore Revenue Department.

65. 1-78-53

51

*Dated* 14th July

*Despatched*

*Received*

**Enclosures No.**

*General No.* 499
*No.* 160 } 1883—84

Submits opinion regarding the feasibility of reducing the fee of ~~Rs~~ 4 levied on warrants issued in British India for execution in Mysore Territory.

17.7.83

4 when executed
2 when not executed

No $\frac{499}{160}$ of 1883.

Asst Commissioner's Office
Hassan Sub Division
Hassan 13th July 1883.

To

The Secretary to the Dewan
of Mysore

Sir,

I have the honor to submit as follows in reply to the enquiry contained in your Memorandum No $\frac{1580-8}{29}$ dated 29th ultimo, regarding the feasibility of reducing the fee of ~~Rs~~ 4 now levied on warrants issued in British India for execution in Mysore Territory under Act XIII of 1859.

2 This fee is intended to recover (a) expense in time and trouble on the part of the Mysore Police and Magistracy in finding out the person to be arrested; and (b) expense in taking the person arrested over to the frontier and maintaining him during the journey.

3. Considering the position of this Sub

Sub Division relatively to the frontiers on the Coorg and Wynaad side I would submit that the rate of Rs 4 which now rules is a fair rate Calculated to recover both heads (a) and (b) when a person has been arrested and forwarded. But when the search proving fruitless no person is arrested and the warrant is returned unexecuted the head of expense (b) does not exist and Government may well remit a portion of the fee. The portion may be a moiety. So that Rs 2 would represent head (a) which may not be considered as excessive especially when it is desirable to have a moderate check against applications for arrest on light and insufficient grounds.

4. Adverting to paras 2 and 3 of the District Magistrate of Coorg's letter No 1128-300 dated 22nd March last, I would submit that the temporary absence of the accused has not been accepted as a reason in this Sub-Division for returning the warrant unexecuted. Often all possible particulars for identifying the accused and

and distinguishing him from others
of the same name are not given
in the warrants and these are "
consequently returned. A thorough search
even at the cost of some time is
always insisted upon and responsi-
-bility fixed for reporting a negative
result, especially as it has been re-
-presented (on what grounds it is not
apparent) that the local Police are
lax in their duty in this respect. It
cannot therefore be said that "the
" Mysore Government incurs no
" expense in directing the Police to
" apprehend the accused."

I have the honor to be
Sir,
Your most obedient Servant.

V. Mandana Rao
Assistant Commissioner
Hassan Subdivision

1883.

15 JUL. 83

From The Officer in charge of the French Rocks Dam

To

The Deputy Secretary to ~~Chief Commissioner~~ of Mysore,

Revenue Department.

Dated

Despatched 16th July

Received

Enclosures No. Memo + 6 encls

General No. 397 / No. 59 } 1883—8 4.

I submit a memo together with Builder's reports on the subject of reducing the amount of batta paid for the execution in Mysore of warrants issued under Act XIII of 1859 by the Courts in Coorg.

Acknowledged
Now read

Put from Secretary's
to be read

No. 397.
59
E. 1746 epy

French Rocks Sub. Division
Camp Seemigapadna 16th
July 1883.

52

To,

The Secretary to the Dewan of
Mysore
Revenue Department.

Sir,

With reference to your docket No. 1580-8/29 of the 29th June 1883, forwarding for an expression of my opinion, copy of correspondence on the subject of reducing the amount of batta paid for the execution in Mysore of warrants issued under Act XIII of 1859 by the Courts in Coorg, I have the honor to forward the accompanying memo on the subject together with the reports received from the Amildars of Nagamangala, Attikuppa and Mandya Talukas.

I have the honor to be,
Sir,
Your most obdt. servant,

Sd/ Madhavarao
Officer in charge of the
French Rocks Sub Div.

French Rocks Sub-Office
Camp Seringapatam 16th July 1879

52

Memo.

RC. 1-78-5-5

Before 1879 the fees paid for executing warrants under Act XIII of 1859 was Rs. 7. In the above year on the representation of the Coorg Planters Association the Chief Commissioner collected the opinions of the Deputy Commissioner and on the best data then available came to the conclusion that a sum of Rupees 4 was a fair fee whether a warrant was served or not, and whatever the distance of the place in which it was to be served may be.

* Proceedings No 4000 dated 16th September 1879.

It will be observed that the rate above fixed is the average on all warrants whether executed or not. The cost of warrants executed would be very much above the average of 4 Rupees, and when the warrant had to be executed at one of the distant Talukes, the cost would be still higher.

It may be complained that the average fees though it might recoup this Government for expenses incurred in all cases, it may press hard on individuals whose warrants are either returned unexecuted or have to be served in a taluk close to Coorg. It was possibly in consideration of this hardship to individuals that the Judicial Commissioner of Coorg recommended that the present fees of Rupees 4 should be treated as a maximum, and that it should be left to the discretion of the Magistrate issuing the warrant to reduce it according to the proximity of Coorg to the place where it was to be served. But it must not be lost sight of that Rupees 4 is only the average cost of warrants whether executed or not and whether the place in which they are to be served is close to Coorg or distant from it, and that under these circumstances it will entail loss on Mysore to treat the above rate as a maximum. If it is to be left to the discretion of the Magistrate to

regulate the fees according to the distance of the places in which a warrant has to be served and also to remit them in cases of non service, the maximum will have to be raised to 7 or 8 Rupees. No cause has been shewn for lowering the average itself as was contemplated in para 5 of the Chief Commissioner's Proceedings above referred to.

On the question of return of fees in cases of non service, I see there is a misconception on the part of the District Magistrate of Coorg, regarding the obligations of the Police of ~~—~~ Mysore in the matter of the service of warrants under Act XIII of 1859.

Act XIII of 1859 is a quasi Civil Act framed for the special convenience of private persons. The State has no matter of interest in it beyond securing a prompt remedy to a certain class of its subjects. Those that get the benefit of this Act are saved the delay, expense and anxiety of obtaining a civil redress. There is nothing unreasonable

in calling on such persons to pay the bare expences of executing their warrants. The State might, if it chose, keep a special establishment for their benefit and pay it from fees collected from them; but as a matter of convenience it gets the execution work done by the Police. The employment of the Police on this duty should not therefore blind us to the real nature of the work the Police are called upon to do which is the execution of a warrant of a quasi civil nature, the executing of which does not form the object or one of the objects of the constitution of a Police Force. The private persons for whose benefit the Police are employed on this duty must compensate Government for loss of time and service entailed by the diversion of the Police from their legitimate duties.

The District Magistrate of Coorg in para 1 of his letter says that the fee of Rupees 4 was intended to defray the expences of dieting the accused on his way from Mysore.

I consider this a misapprehension. The fees as advanced above, represents the cost of electing the accused, the batta of the Police employed on escort duty and compensation to Government for the loss of the services of the Police while so employed. I would deprecate the leaving it to the Magistrate in Coorg to regulate the fees according to distance. A group of talukes may be selected by Government and the fees for serving therein fixed once for all.

I do not see that any good reason has been shown for lowering the fees to Rupees 2 as proposed by the Commissioner of Coorg in para 3 of his letter. The Mysore State may benefit indirectly by the employment of its coolies on Coffee Estates in Coorg but the returns the planters get in the way of efficient, cheap and intelligent labour is not duly appreciated. The Mysore Ryot has by his obedience and enterprise paved his way forward into the native States of Bhowngar, Nawanagar and Baroda and

he is largely employed in the City of Bombay and in the British Army. The Ryots of certain villages in Canara. nanagpadna who are employed in the Native States in Bombay are the most punctual payers of Candayam; and yet none of these States nor the British Army have ever thought of advancing claims on the gratitude of the Mysore Government for employing its subjects outside the province. The planters already enjoy the great boon of a free extradition and prompt execution of warrants in the matter of an Act regarding the enforcement of the provisions of which the Government is in no way con: :cerned. I consider that the employ: :ment of the Mysore coolies by the Coorg Planters should not be allowed to have any weight in the decision of the question of fees pay: :able for warrants under Act XIII of 1859.

There has not been time enough to collect the opinions of all the Amildars on the question of re: :ducing the fees fixed in 1879. The

Amildar of Ragamangala quoted
order No. 2760 dated 31st August 1875
from the Dy. Commissioner, from
which it would appear that the
Judicial Commissioner was of
opinion that the cost of service
of warrants under Act XIII of 1859
and of the escort of prisoners should
be borne by those at whose instance
warrants are issued. The Amildar
would refund half the fees viz Rs.
2 if warrants are returned with
out execution.

The Amildar of Mandaya estimates the cost of diet of a prisoner at 0-1-6 per day and Batta to peon at 4 annas per day. He calculates that a peon will be employed at least two days in search after an accused person and he would therefore demand a fee of annas eight in the case of warrants not executed. In the case of warrants executed, the Amildar estimates the cost of escorting a prisoner at 0-1-6 plus 0-4-0 total 0-5-6 per day, and taking 10 miles per day as the rate at which the prisoner could travel

he calculates the cost of escorting a prisoner to Coorg from his taluk at Rupees 5.

The Amildar of Attikuppa whose report has since been received gives 12 miles per day as the rate of travelling and 7 days as the time it would take to reach Coorg from his taluk. He estimates the cost of dieting a prisoner at 2 annas per day and contingencies for oil &c when at out stations at 1 anna per day. For seven days the cost would be Rupees 1-5-0. To this he would add the batta for the Police for 14 days (going and returning) at 4 annas per day. The total would be Rs. 4-13-0. This Amildar is in favour of remitting the fees in case of non service of warrants. He would, in case the batta for the Police ——— for escorting a prisoner, is not allowed, insist upon a fee of Rupees 2 to cover the cost of dieting a prisoner, the contingent expenses and extra demands in the case of sick prisoners.

Under these circumstances I would fix a maximum fee of Rs. 5

and would have the taluks from which coolies are drawn arranged according to their distances from Coorg and fix proportionate rates for warrants that may be executed in them; and as regards warrants returned unexecuted, I would fix a uniform rate of one Rupee irrespective of distance.

I.P.C. Madhavarao

Officer in charge of the French Rocks Estate

Proforma

Sub Division

No 397 Dt 16th July 1886

86

8435/

ಜೈಲರ್
8/9/

ಪ್ರಾಣೇಶಕುಮಾರ್
308

ಅಲ್ಲಿ ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಸಂಬಳ ಕೊಡಲಿಲ್ಲ. ಅವರಿಗೆ ಸಿಟ್ಟು ಬಂದು ಅವರು ಅಲ್ಲಿಂದ ಹೊರಟು ಹೋದರು. ಅವರು ಹೋಗುವಾಗ ಅಲ್ಲಿ ಒಂದು ಕಲ್ಲಿನ ಕಂಬವನ್ನು ಕೆತ್ತಿ ಅದರ ಮೇಲೆ ಒಂದು ಶಾಸನವನ್ನು ಬರೆದಿಟ್ಟು ಹೋದರು. ಆ ಶಾಸನದಲ್ಲಿ ಅವರು ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಸಂಬಳ ಕೊಡದೆ ಇರುವುದರ ಬಗ್ಗೆ ಬರೆದಿಟ್ಟಿದ್ದರು. ಆ ಶಾಸನವನ್ನು ಓದಿದ ಜನರು ಅವರಿಗೆ ಸಂಬಳ ಕೊಡಲಿಲ್ಲ ಎಂಬ ವಿಷಯ ತಿಳಿದು ಅವರಿಗೆ ಸಂಬಳ ಕೊಡಲು ಹೋದರು. ಆದರೆ ಅವರು ಸಂಬಳ ತೆಗೆದುಕೊಳ್ಳಲು ನಿರಾಕರಿಸಿದರು. ಅವರು ಹೇಳಿದರು, "ನಾವು ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಸಂಬಳ ಕೊಡಲಿಲ್ಲ ಎಂಬ ಕಾರಣಕ್ಕೆ ನಾವು ಸಿಟ್ಟು ಮಾಡಿಕೊಂಡು ಹೋಗಿಲ್ಲ. ನಮಗೆ ಸಿಟ್ಟು ಬಂದಿದ್ದು ನಾವು ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಸಂಬಳ ಕೊಡಲಿಲ್ಲ ಎಂಬ ಕಾರಣಕ್ಕೆ ಅಲ್ಲ. ನಾವು ಮಾಡಿದ ಕೆಲಸಕ್ಕೆ ಸಂಬಳ ಕೊಡಲಿಲ್ಲ ಎಂಬ ವಿಷಯವನ್ನು ಶಾಸನದಲ್ಲಿ ಬರೆದಿಟ್ಟಿದ್ದೇವೆ. ಆ ಶಾಸನವನ್ನು ಓದಿದ ಜನರು ನಮಗೆ ಸಂಬಳ ಕೊಡಲು ಬಂದಿದ್ದಾರೆ. ಆದರೆ ನಾವು ಸಂಬಳ ತೆಗೆದುಕೊಳ್ಳಲು ನಿರಾಕರಿಸಿದ್ದೇವೆ. ಏಕೆಂದರೆ

ಸಾಲಿಗ್ರಾಮ ತಾಲ್ಲೂಕಿನ ಕಾರಂಜಿಮಠ ಗ್ರಾಮದ ಸರ್ವೆ ನಂಬರ್ 79ನೇ ಅಳತೆ
ಯ ಜಮೀನಿನಲ್ಲಿ 16 ನೇ ಮಾರ್ಚ್ ತಿಂಗಳಲ್ಲಿ ಸುಮಾರು
ಸಸಿಗಳನ್ನು ನೆಡಲಾಗಿದೆ - ಸದರಿ ಸಸಿಗಳಿಗೆ ಪ್ರತಿದಿನ
ಬೆಳಿಗ್ಗೆ ಮತ್ತು ಸಂಜೆ ನೀರು ಹಾಕಿ ಪೋಷಣೆ ಮಾಡಿರುತ್ತೇನೆ
4 ತಿಂಗಳಾಯಿತು - ಈಗ ಸಸಿಗಳು ಸುಮಾರು
ಅಡಿಗಳಷ್ಟು ಬೆಳೆದಿವೆ - ಸದರಿ ಸಸಿಗಳನ್ನು
ದನಗಳು ಮೇಯುತ್ತಿದ್ದು ಸಸಿಗಳಿಗೆ ಹಾನಿ ಮಾಡುತ್ತಿವೆ
ಹಾಗೂ ಕೆಲವು ಸಸಿಗಳನ್ನು ಕಿತ್ತು ಹಾಕಿರುತ್ತಾರೆ
ಆದ್ದರಿಂದ ಸಸಿಗಳಿಗೆ ಹಾನಿ ಮಾಡುತ್ತಿರುವವರ
ವಿರುದ್ಧ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಲು ಕೋರಿ
ಈ ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತೇನೆ - ಅರ್ಜಿಯ ಜೊತೆಯಲ್ಲಿ
ಸಸಿಗಳ ಫೋಟೋಗಳನ್ನು ಲಗತ್ತಿಸಿದೆ - ಅರ್ಜಿಯನ್ನು
ಸ್ವೀಕರಿಸಿ ಸೂಕ್ತ ಕ್ರಮ ಜರುಗಿಸಲು ವಿನಂತಿ
ಸಲ್ಲಿಸಿರುತ್ತೇನೆ - 4 ನೇ ವಿಷಯ
ದಲ್ಲಿ ಕಂಡಂತೆ ಸಸಿಗಳು ಬೆಳೆದು ಅಸ್ತಿತ್ವದಲ್ಲಿ
ಇರುವುದರಿಂದ ಸಸಿಗಳಿಗೆ ಹಾನಿ ಮಾಡಿದವರ
ವಿರುದ್ಧ ಕಾನೂನು ಕ್ರಮ ಜರುಗಿಸಲು ಕೋರಿ
ಅರ್ಜಿಯನ್ನು ಸಲ್ಲಿಸಿರುತ್ತೇನೆ - ಅರ್ಜಿಯ ಜೊತೆಯಲ್ಲಿ
ಸಸಿಗಳ ಫೋಟೋಗಳನ್ನು ಲಗತ್ತಿಸಿದೆ - ಅರ್ಜಿಯನ್ನು
ಸ್ವೀಕರಿಸಿ ಸೂಕ್ತ ಕ್ರಮ ಜರುಗಿಸಲು ವಿನಂತಿ

ಸಮಾಜದಲ್ಲಿ ಸಂಘಟನೆಗಳು ಮತ್ತು ಸಂಸ್ಥೆಗಳು ಅವಶ್ಯಕವಾಗಿವೆ. ಸಂಘಟನೆಗಳು ಸಮಾಜದಲ್ಲಿ ಒಂದು ಸಂಸ್ಕೃತಿಯನ್ನು ಬೆಳೆಸಿಕೊಂಡು ಬರುತ್ತ

Dated this the 2/7/83

Sd/- Mandhumabdev
Subedul Magistrate
Granda Road

Sd/-

90

ಸಿಂಧನೂರು ತಾಲ್ಲೂಕು ಕಾಡ್ಲೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ. 1 ರಲ್ಲಿ ಒಟ್ಟು 1-00 ಎಕರೆ ಜಮೀನಿನಲ್ಲಿ ಸಿಂಧನೂರು ತಾಲ್ಲೂಕು ಕಾಡ್ಲೂರು ಗ್ರಾಮದ ಸರ್ವೆ ನಂ. 1 ರಲ್ಲಿ ಒಟ್ಟು 1-00 ಎಕರೆ ಜಮೀನಿನಲ್ಲಿ

2/7/83

Deputy Registrar
Panaji Goa.

$$\frac{11}{78} \quad \frac{11}{78}$$

ಕಾಲಮಿತಿಯಲ್ಲಿ ಪೂರ್ಣಗೊಳಿಸಲು ಕ್ರಮ ವಹಿಸಲಾಗಿದೆ.

ಕಾಮಗಾರಿಗಳ ಪ್ರಗತಿಯ ಬಗ್ಗೆ ಸಂಬಂಧಪಟ್ಟ ಅಧಿಕಾರಿಗಳಿಂದ ಮಾಹಿತಿ ಪಡೆದು ಕಾಮಗಾರಿಗಳು ಕಾಲಮಿತಿಯಲ್ಲಿ ಪೂರ್ಣಗೊಳ್ಳ

ಸಂಖ್ಯೆ: ಕೆಆರ್‌ಐಡಿಎಲ್/ಟೆಂಡರ್/ಕಾಮಗಾರಿ/2024-25/1234 ದಿನಾಂಕ: 15-07-2024

ಕರ್ನಾಟಕ ರಾಜ್ಯ ಗ್ರಾಮೀಣ ಅಭಿವೃದ್ಧಿ ಮತ್ತು ಜಲಾನಯನ ಇಲಾಖೆ

ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರ ಕಚೇರಿ, ಹೊಸಕೋಟೆ ಉಪವಿಭಾಗ

ಕಾಮಗಾರಿಯ ಹೆಸರು: ಹೊಸಕೋಟೆ ತಾಲ್ಲೂಕಿನ ಕೆಲವು ಗ್ರಾಮಗಳಲ್ಲಿ ಕಿರು ನೀರು ಸರಬರಾಜು ಯೋಜನೆಗಳ ಪುನರುಜ್ಜೀವನ ಕಾಮಗಾರಿ

ಅಂದಾಜು ಮೊತ್ತ: ರೂ. 1,85,00,000/-

ಟೆಂಡರ್ ಮೊತ್ತ: ರೂ. 1,72,50,000/-

ಟೆಂಡರ್ ಅವಧಿ: 90 ದಿನಗಳು

ಟೆಂಡರ್ ಸಂಖ್ಯೆ: ಕೆಆರ್‌ಐಡಿಎಲ್/ಟಿ/2024-25/0078

ಟೆಂಡರ್ ಪ್ರಕಟಣೆ ದಿನಾಂಕ: 16-07-2024

ಟೆಂಡರ್ ಮಾರಾಟ ಪ್ರಾರಂಭ ದಿನಾಂಕ: 16-07-2024

ಟೆಂಡರ್ ಮಾರಾಟ ಕೊನೆಯ ದಿನಾಂಕ: 30-07-2024

ಟೆಂಡರ್ ಸ್ವೀಕೃತಿ ಕೊನೆಯ ದಿನಾಂಕ ಮತ್ತು ಸಮಯ: 31-07-2024, ಮಧ್ಯಾಹ್ನ 12:00 ಗಂಟೆಯವರೆಗೆ

ಟೆಂಡರ್ ತೆರೆಯುವ ದಿನಾಂಕ ಮತ್ತು ಸಮಯ: 31-07-2024, ಮಧ್ಯಾಹ್ನ 3:00 ಗಂಟೆಗೆ

ಟೆಂಡರ್ ಶುಲ್ಕ: ರೂ. 1,000/- (ಮರುಪಾವತಿಯಾಗದ)

ಇಎಂಡಿ: ರೂ. 3,45,000/-

ಕಾಮಗಾರಿಯ ಸ್ಥಳ: ಹೊಸಕೋಟೆ ತಾಲ್ಲೂಕಿನ ಆಯ್ದ 12 ಗ್ರಾಮಗಳು

ಅರ್ಹತಾ ಷರತ್ತುಗಳು:

1. ಗುತ್ತಿಗೆದಾರರು ಕರ್ನಾಟಕ ರಾಜ್ಯ ಗುತ್ತಿಗೆದಾರರ ನೋಂದಣಿ ಪ್ರಾಧಿಕಾರದಲ್ಲಿ ಕನಿಷ್ಠ ಗ್ರೇಡ್-3 ಅಥವಾ ಅದಕ್ಕಿಂತ ಮೇಲಿನ ಗ್ರೇಡ್‌ನಲ್ಲಿ ನೋಂದಾಯಿತರಾಗಿರಬೇಕು.

2. ಕಳೆದ ಐದು ವರ್ಷಗಳಲ್ಲಿ ಕನಿಷ್ಠ ಒಂದು ಕಾಮಗಾರಿಯಲ್ಲಿ ಟೆಂಡರ್ ಮೊತ್ತದ ಶೇ. 50ರಷ್ಟು ಮೊತ್ತದ ಕೆಲಸವನ್ನು ಪೂರ್ಣಗೊಳಿಸಿರಬೇಕು.

3. ಗುತ್ತಿಗೆದಾರರ ವಾರ್ಷಿಕ ವಹಿವಾಟು ಕಳೆದ ಮೂರು ಹಣಕಾಸು ವರ್ಷಗಳಲ್ಲಿ ಸರಾಸರಿ ರೂ. 2 ಕೋಟಿಗಿಂತ ಕಡಿಮೆ ಇರಬಾರದು.

4. ಗುತ್ತಿಗೆದಾರರು ಜಿಎಸ್‌ಟಿ ನೋಂದಣಿ ಮತ್ತು ಪ್ಯಾನ್ ಕಾರ್ಡ್ ಹೊಂದಿರಬೇಕು.

5. ಗುತ್ತಿಗೆದಾರರು ಕಾಮಗಾರಿ ಪ್ರಾರಂಭಿಸುವ ಮೊದಲು ಕಾರ್ಮಿಕ ಕಾನೂನುಗಳ ಅನುಸಾರ ಅಗತ್ಯ ವಿಮೆ ಮತ್ತು ಭದ್ರತಾ ವ್ಯವಸ್ಥೆ ಮಾಡಿಕೊಳ್ಳಬೇಕು.

6. ಕಾಮಗಾರಿಯಲ್ಲಿ ಬಳಸುವ ಪೈಪ್‌ಗಳು ಐಎಸ್‌ಐ ಗುರುತು ಹೊಂದಿರಬೇಕು ಮತ್ತು ಅವುಗಳ ಮಾದರಿಗಳನ್ನು ಅಭಿಯಂತರರ ಅನುಮೋದನೆಗೆ ಸಲ್ಲಿಸಬೇಕು.

7. ಗುತ್ತಿಗೆದಾರರು ಕಾಮಗಾರಿ ಸ್ಥಳದಲ್ಲಿ ಸಂಚಾರ ಮತ್ತು ಸಾರ್ವಜನಿಕರ ಸುರಕ್ಷತೆಗಾಗಿ ಸೂಕ್ತ ಎಚ್ಚರಿಕೆ ಫಲಕಗಳನ್ನು ಅಳವಡಿಸಬೇಕು.

8. ಕಾಮಗಾರಿಯ ಪ್ರಗತಿಯ ಬಗ್ಗೆ ಪ್ರತಿ ವಾರ ಲಿಖಿತ ವರದಿಯನ್ನು ಸಲ್ಲಿಸಬೇಕು.

9. ಗುತ್ತಿಗೆದಾರರು ಕಾಮಗಾರಿಯ ಯಾವುದೇ ಭಾಗವನ್ನು ಉಪಗುತ್ತಿಗೆ ನೀಡಬಾರದು.

10. ಟೆಂಡರ್ ಅನ್ನು ಯಾವುದೇ ಕಾರಣ ನೀಡದೆ ತಿರಸ್ಕರಿಸುವ ಹಕ್ಕು ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರಿಗೆ ಇರುತ್ತದೆ.

ಸಹಿ/-
ಕಾರ್ಯಪಾಲಕ ಅಭಿಯಂತರರು
ಕೆಆರ್‌ಐಡಿಎಲ್, ಹೊಸಕೋಟೆ ಉಪವಿಭಾಗ

188 3.

From Deputy Commissioner Coorg District.

To The Dewan of Mysore
Secretary to ~~Chief Commissioner~~,
Revenue ~~General~~ Department.

53

Dated 21st July 1883.

Despatched 23rd July 1883.

Received

**Enclosures No. 1**

General No. / No. 270 | 1883—84.

Secretary's No 1580-8 of 29 June 1883.

Furnishes opinion on the subject of reducing the fees on warrants issued by Coorg Magistrates under Act XII of 1859.

All replies came?

Junior Advocate
Assistant
Chief Magistrate
Chief Judge

Tumkur District

Deputy Commissioner's Office

No 270 J

Mudigere 21st July 1883

The Secretary to the Govt
of Mysore.

Sir,

Adverting to your No 1580-8/29 d/ 29th June 1883 calling for an expression of opinion as to the advisability or otherwise of reducing the fees on warrants issued by Coorg Magistrates under Act XIII of 1859, and of returning them the fees for the unexecuted warrants, I have the honor to submit that the late Chief Commissioner of Mysore in para 4 of his Proceedings No 4680/J. 78 d/ 16th September 1879 has observed that the sum of Rs 4/- has been found to be the average cost in each case, whether the process is served or not. The enclosed statement shewing the number of warrants received in the District during 1882, and the cost

Cost incurred thereon, strikes the same average - As shewn in the above statement the cost incurred in the execution of the warrants is always greater than that incurred in diching &c the persons arrested and delivered to the Magistrates, who issued the warrants for their arrests -

2. I beg here to state that the time occupied by the Police in executing the warrants whether resulted in arrests or not, is the same if not more, so much so, that in the latter case the Police to whom such warrants are generally entrusted employ themselves until they are satisfied that the persons named in the warrants are either dead or, cannot be found; and Especially in cases (which are not few) where Ladies or some persons interested accompany the warrants on behalf of the complainants to point out

out the persons named in the warrants to the Police Entrusted with the execution of such warrants, the number of days spent by the Police in the search of the accused persons is still greater - The figure entered in Column 7 of the accompanying Statement is the pay of the Police for the period they were employed in the execution of the warrants, and the escort and delivery of persons arrested, where arrests were made or, for the days passed between the date of receipt & the return of the warrants by the Police -

3. Under the above circumstances I humbly beg to submit - that, neither any reduction in the present fee of Rs 4/- for each warrant whether executed or not, nor the return of fees where no arrests result, are feasible -

4. The levy of a fee for a second and subsequent warrants for the arrest of a person, already reported

to be absent or cannot be found, has been prohibited by the late Chief Commissioner in his Proceedings No. 1091/149 dated 12th January 1880; and no such second charge of fees was ever made in this District.

I have the honor to be,
Sir,
Your most Obedient Servt

Ind. Ah. K.S.
Offg Deputy Commissioner
Tumkur District.

Statement shewing the number of warrants rece… Expenditure from the Coorg Chest… under Act XIII of 1859 and the Cost incurred in their Expenditure … year 1882.

| Taluq | Number of warrants received | No. to which return has been made: Expended | No. to which return has been made: Unexpended | Fees received @ Re 4/ per warrant | Cost of ——: Rations &c to persons while in Custody pending Trial or Record | Cost of ——: Police Employed for Execution | Cost of ——: Total | Remarks |
|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Tumkur | 11 | 4 | 7 | 44 | 3 8 - | 33 2 5 | 36 10 5 | |
| Bangalore | 1 | 1 | | 4 | 1 4 4½ | 4 | 5 4 4½ | |
| Chitaldroog | 4 | 1 | 3 | 16 | | 17 | 17 | |
| Kunigal for 10 months | 13 | 7 | 6 | 52 | 3 12 9 | 65 9 7 | 69 6 4 | |
| Chickanaikenhally in charge Kabir | 1 | | 1 | 4 | | 4 | 4 | |
| Sira | " | | | | | | | |
| Penagond | " | | | | | | | |
| Tiptur in charge Sumekere | 5 | 2 | 3 | 20 | 1 2 - | 15 2 5 | 16 4 5 | |
| Gubbi | 4 | 1 | 3 | 16 | | 11 9 7 | 11 9 7 | |
| Total | 39 | 16 | 23 | 156 | 9 11 ½ | 150 8 - | 160 3 1½ | |

By Command of
Officer
Tumkur Distt
Camp Kudagere 21st July 1883

Asst. Commr. K.D.
Offg Dy Commissioner
Tumkur Distt

(General Serial No. 31.)

1883.

*From*

*To* The Chief Comr. ; west.
of Coorg.

*Dated* 7th August
*Despatched* —
*Received* —

**Enclosures No.**

*General No.* 2.4.3
No. 100

Communicating the views of the Durbar on the subject of reducing the amount of batta paid for execution in Mysore of Warrants issued under the Breach of Contract Act by the Courts in Coorg.

CL 1-78-31

57

10 August 1883

(54)

No 2649
1884

To
Chief Commr
The Residency Coorg

Sir

I have the honor to acknowledge receipt of your confidential letter No 362/67 of the 29th May 1883 requesting me to communicate to you the views of the Durbar on the subject of reducing the amount of batta paid for detention in Mysore, of warrants issued under the Breach of Contract Act by the Coorg magistracy.

You will observe that the subject was ~~fully~~ discussed and decision arrived at in the Chief Commrs proceedings No 4680-J 78 dated 16th September fixing the rate at 4 Rs & 8 As for executed & unexecuted warrants, "according to the best procurable information as a fair

average in Each case.

I Collected Opinion of the Dist Officers once again on the receipt of your letter under reply and the majority of the Officers are against the reduction of the Existing rate. I Concur in this Opinion. It must be remembered that the warrants in question are unlike warrants in Criminal Cases, & & purely Civil Processes and the Costs of their Execution form only a fair demand against the appellants, and the Costs must justly include not only the Expense of Visiting the defendt under arrest, but the Expense of the Police Escort and Compensation &

the State of the Cost of service of the Police Forces while employed in executing the warrant. The statement submitted by the Inspector of Factories (copy of which is enclosed for your information) will show that on the whole the work as far as that Dist is concerned has not been to the disadvantage of the State. Other Dist Inspectors have not as tabulated the result as if they had done so, I am decided of the opinion that the figures would prove similarly.

I would however suggest that one of the following alternatives for your consideration and decision

1 To allow the Existing rate or

2 To exercise further

the Court administer with the costs in each case of Equitable as well as the Equitable proceedings and obtain the amount on such a bill of costs.

I know the latter of the two arrangements is a cumbrous one but satisfactory to both parties.

Yours

Dewan

Subd

by 3/17

Sir

Please send the fair copy for Dewan's signature

*From*

*The Secretary to the Chief Commissioner*
*of Coorg.*

*To*

*The Secretary to Government of Mysore*

*Dated* Bangalore 10 January 1884

*Despatched*

*Received*

**Enclosures No.**

*General No.* 45 20
*Q. M. No.* 275 } 1883–84

Forwards copies of correspondence on the subject of reducing the fee paid for the execution in Mysore of warrants issued under the Breach of Contract Act XIII of 1859 by the Courts in Coorg.

Refers:

In the file I remember seeing a letter from Coll Hill as Dy Comm'r Kaspan recommending the present fee. Just up that.

1884. 7074

From

The Secretary to the Chief Commissioner
of Coorg.

To

The Dewan of Mysore

Dated Bangalore 10 January 1884

Despatched 11 A.M.

Received

Enclosures No.

General No. 45 20
Y. M. No. 275 } 1883-84

I forwards copies of correspondence on the subject of reducing the fee paid for the execution in Mysore of warrants issued under the Breach of Contract Act XIII of 1859 by the Courts in Coorg.

Reply:

In the file I remember seeing a letter from Coll Hill in Dy Comm'r's Report recommending the present fee. Just up that.

R
11

No 1520
Gm 275

No

Coorg Chief Commissioner's Office
Bangalore 10th January 1884.

From

Major A. Wylie C.S.I.
Secretary to the Chief Commissioner
of Coorg

To

The Dewan of Mysore

Sir

With reference to your letter etc
1. Letter etc No 891/284 dated 29th August 1883 to the Judicial Commissioner of Coorg
2. Letter etc No 228 dated 22nd October 1883 from the Judicial Commissioner (with enclosures)
3. Letter to the Commissioner of Coorg etc 1260/478 dated 10th November 1883.
4. Letter from the Commissioner of Coorg No. 643/285 dated 26th November 1883 (with enclosures).

2619/184 dated 10th August 1883, I am directed by the Chief Commissioner to forward herewith, for the information of the Durbar, copies of the marginally noted correspondence on the subject of reducing the fee paid for the execution in Mysore of Warrants issued under the Breach of Contract Act (XIII of 1859) by the Courts in Coorg.

2. I am to request that, taking into consideration the circumstances represented in the correspondence, His Highness the Maharaja's Government may

be pleased to reduce the rate of fee from
Rs 4 to Rs 3, and to allow Second Warrants,
issued when the first is unexecuted, to be
executed free of charge. It appears to Mr.
Lyall that this proposal is fair in com-
parison with the fee of 4 Rs levied in the
Madras Presidency which is refunded
when not expended.

I have the honor to be

Sir

Your most obedient Servant

H. Maclin

Secretary

Mdc

Coorg Chief Commissioner's Office
Bangalore Dated 29 August 1883

No 891/284

59.

From

Major H. Wylie C.S.I.
Secretary to the Chief Commissioner
of Coorg

To

The Judicial Commissioner
of Coorg

Sir,

In reply to your letter No 21 dated 20th April 1883, recommending that the Mysore Government be moved to return the batta paid for the execution in Mysore of each Warrant issued under Act XIII of 1859, in cases in which the Warrant may be returned unexecuted, I am directed by the Officiating Chief Commissioner to forward copy of letter No 2619/184 dated 10th instant from the Dewan of Mysore on the subject

2

2. Mr Tyall considers that the Durbar's answer appears to be in accordance with the Chief Commissioner's order No 4680/78 dated 16th September 1879, in which in reducing the fee from Rupees 7 to 4, the Chief Commissioner said that the fee of Rupees 4 was fixed according to the best information procurable as a fair average in each case, and that therefore it was payable ; whether the process was served or not

3. Mr Tyall understands that in fixing the fee the Chief Commissioner took into consideration not merely the cost of feeding the prisoners, but also the cost of the services of the police while engaged as escort or in searching for the prisoners. As the case stands Mr Tyall does not see sufficient grounds for pressing the Durbar to reconsider their reply which is in accordance with orders of the Chief Commissioner passed so recently as in 1879

4. Mr Lyall understands that the case of warrants issued under Section 2 of the Act is not referred to in this reference. Such warrants are, Mr Lyall believes, issued free, under the Chief Commissioner's order No $\frac{7291}{J.149}$ of 12th January 1880.

I have &c
(Sd) H. Wylie
Secretary.

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Coorg Judicial Commissioner's Office
Bangalore 22nd October 1883

No 228

From

C. G. Plumer Esquire
Ag: Judicial Commissioner

To, The Secretary to the Chief Commr of Coorg.
Coorg.

Sir.

Adverting to your letter No $\frac{891}{284}$ dated the 29th August 1883, Communicating Copy of a letter No $\frac{2619}{184}$ dated 10th August from the Mysore Durbar on the subject of returning the batta paid for the Execution in Mysore of each warrant issued by the Coorg Court under Act

Act XIII of 1859, in cases in which the warrant may be returned unexecuted, I have the honor to state that para 5 of the late Chief Commissioner's Proceedings No 4680-I/78 dated 16th September 1879, quoted in para 2 of your letter under reply, provides that, "If the experience of another "year shows that the fee can be "reduced still more, that will be "done." This shows that the settlement made in the proceedings was not intended to be final. The Commissioner of Coorg in his letter No 80 dated the 13th instant, copy of which is forwarded, shows, I think clearly that reduction may be made in the batta. It appears to me that the sums charged by the Deputy Commissioner of Tumkur for the services of the Police as shown in the return which accompanied the Mysore Durbar's letter quoted above, are exorbitant. I adhere, therefore, to the opinions I

expressed

Expressed in my letter to you, No. 71 dated 20th April last and request the Chief Commissioner's reconsideration of my suggestions

I have &c

/Signed/ C. G. Plumer
Ag: Judicial Commissioner

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Coorg Commissioners Office
Dated 13th October 1883

No. 80.

From.

The Commissioner
of Coorg

To

The Registrar of the
Court of the Judicial Commissioner
of Coorg

Sir

I have the honor to acknowledge the receipt of your letter No. 161 of the 30th August 1883, forwarding Copy of the Secretary to the Chief Commissioner's

letter

letter No $\frac{891}{284}$ of the 29th idem, with its Enclosure relative to the non-return to parties of the batta paid by them for Execution of Warrants in Mysore, issued under Act XIII of 1859, in Cases in which the accused have not been arrested.

2. In reply I may be permitted to express a hope that the point may receive further favorable Consideration from the Dewan, who in the 2nd Clause of para 4 of his letter has virtually admitted the Cogency of the arguments raised by suggesting that a bill of Costs incurred should be sent to the Coorg Authorities in each Case. Even regarding the breach of Contract more in the light of a Civil Case as he has viewed it, than a Criminal Offence, the refund of batta in cases of Non-Execution of Warrants is fairly claimable in accordance with Civil Law and procedure. However great there

may

may be a desire for uniformity, still it is scarcely equitable to make those who do not immediately benefit contribute towards those who do - Viewed also from the Planters stand-point they have cause to grieve over good money vainly spent after the bad which has been thrown away in advances made to dishonest Inestries, and which is represented in the books of some firms by lacs of Rupees

3. These statements are borne out by actual facts; for it will be seen on perusal of the accompanying return which has been furnished to me by the District Magistrate that only half of the number of warrants issued are executed and that the number of warrants returned unexecuted amounted during the past twelve months to no less than 105, on account of which Rs: 420 were paid by Planters without result

4. I leave these figures to speak for

for themselves. As the Tumkur Deputy Commissioner has however furnished particulars of Expenditure in his District, I may be permitted to enter more fully upon that point; the more so as I happened to be Deputy Commissioner of Hassan at the time when the original rate was fixed and subsequently revised, and can speak from my personal knowledge of the actual Expenses which are incurred by the Mysore state. The number of Warrants sent to each Taluk and Police Station for Execution is so few, that the employment of additional Constables has never at any time been found necessary. They are Executed without difficulty by the ordinary Station Peons. As a rule the accused admit their obligation to fulfil their Contract and accompany the Police quietly from Station to Station till they reach the Coorg frontier; all the Escort needed

needed being one peon, who is sent in charge and who occasionally receives the assistance of the beat peon as he proceeds in the same direction. The actual out-lay to the Mysore State is, therefore, reduced to a minimum consisting only of the diet-ing of the prisoner which may be reckoned at As 1-6p. per day. Even giving Credit for the pay of the peon employed on escort duty at As 4 a day and allowing two days for arrest and transmission of the accused to Taluk Head Quarters and for the search of prisoners who are not forthcoming, it will be seen that according to the enclosed statement the profits to the Mysore State on unexecuted warrants are estimated at Rs: 367-8-0 and Rs: 88-4-0 on executed warrants showing a Net profit of Rs: 455-12-0 in the year.

5. It will be observed further

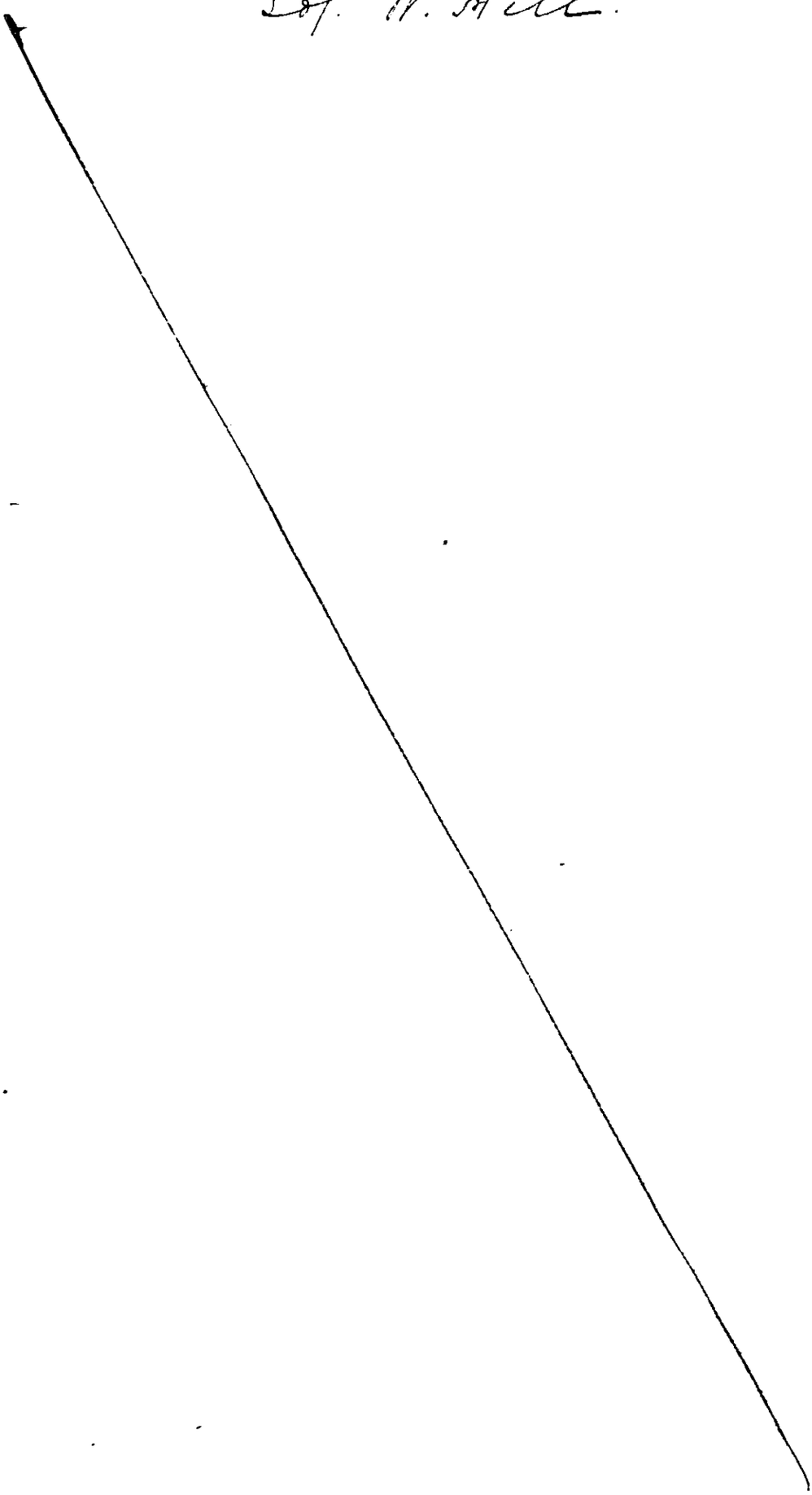
further that most of the warrants sent for Execution are to the Taluks of Hassan, Narsipur Chunrayapatna and Alikuppa of the Hassan district which adjoins Coorg; therefore the charge of Rs 4/ now levied is obviously too high so far as that district is concerned, and the same is the case also in respect to those sent to the Taluks of Periapatam and Yedatore of the Mysore district which lie equally close to the Coorg frontier.

6. Under these circumstances I trust that the Dewan may be disposed to reconsider the whole matter and be pleased to direct the refund of the unexpended balance in the case of 1/4 unexecuted warrants; reducing at the same time the charge in the case of warrants executed in the Hassan and Mysore Districts from Rs: 4/ to Rs 2/ as previously suggested.

If

If an uniform Charge is to be maintained I submit that it should not exceed Rs: 3/-

I have &c
Col. F. Hill.



Statement showing the number of Warrants issued under Act XIII of 1867 from 1st October 1882 to 30th September 1883 for execution in the Mysore Provinces.

| Name of Taluk | No. of Warrants received | Amount of Warrants received | No. of Warrants received & executed | No. of Warrants returned unexecuted | No. of Warrants pending at the end of the year | Total amount of Warrants executed | Probable amount of Warrants pending at the end of the year | Total amount of Warrants pending at the end of the year | Amount of Warrants returned unexecuted | Amount of Warrants pending at the end of the year | Amount of Warrants pending at the end of the year | Amount of Warrants pending at the end of the year |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Arkalgud | 13 | 52 | 5 | 8 | 6 | 10 | 5 | 4 | | 37 | 11 | |
| Attigoppe | 16 | 64 | 6 | 10 | 9 | 18 | 9 | 5 | | 40 | 7 | |
| Ashtagrama | 2 | 8 | | 2 | | | | 1 | | 7 | | |
| Bangarpet | 5 | 20 | 3 | 2 | 13 | 13 | 6 6 | 1 | | 5 | 9 6 | |
| Chennarayapatna | 19 | 76 | 5 | 14 | 9 | 15 | 7 6 | 7 | | 53 | 18 6 | |
| Chickmagalur | 3 | 12 | | 3 | | | | 1 | 8 | 10 | 8 | |
| Channarayapatna | 2 | 8 | | 2 | | | | 1 | | 7 | | |
| Closepet | 1 | 4 | | 1 | | | | | 8 | 3 | 8 | |
| Doddaballapur | 1 | 4 | 1 | | 15 | 5 | 2 6 | | | | | |
| Gubbi | 9 | 36 | 3 | 6 | 13 | 13 | 6 6 | 3 | | 19 | 9 6 | |
| Hunsur | 10 | 40 | 4 | 6 | 4 | 5 | 5 | 3 | | 31 | 8 | |
| Hassan | 24 | 96 | 16 | 8 | 6 | 33 | | 4 | | 59 | | |
| Kunigal | 19 | 76 | 14 | 5 | 11 | 52 | 15 | 2 | 8 | 20 | 9 | |
| Kadaba | 2 | 8 | | 2 | | | | 1 | | 7 | | |
| Kortagere | 1 | 4 | | 1 | | | | | 8 | 3 | 8 | |
| Mandya | 14 | 56 | 9 | 5 | 8 | 24 | 12 | 2 | 8 | 28 | 12 | |

| | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Magadi | 4 | 16 | " | " | 4 | " | 15 | 20 | 10 | " | " | " | " | " | " | | | |
| Malavalli | 2 | 8 | " | " | 2 | " | 10 | 6 | 14 | " | " | " | " | 1 | 2 | " | | |
| Mysore | 1 | 4 | " | " | " | 1 | " | " | " | " | " | 8 | " | 3 | 3 | " | | |
| Mudgeri | 2 | 8 | " | " | 2 | " | 16 | 11 | " | " | " | " | " | " | 1 | " | | |
| Nagamangalam | 6 | 24 | " | " | 3 | 3 | 9 | 9 | 4 | 6 | 1 | 8 | " | 13 | 3 | 6 | | |
| Nelamangalam | 8 | 32 | " | " | 5 | 3 | 13 | 22 | 5 | 6 | 1 | 8 | " | 8 | 2 | 6 | | |
| Parsipuram | 20 | 80 | " | " | 6 | 14 | 5 | 10 | 5 | " | 7 | " | " | 62 | 11 | " | | |
| Sanjimagode | 1 | 4 | " | " | 1 | " | 8 | 2 | 12 | " | " | " | " | 1 | 4 | " | | |
| Seringapatam | 1 | 4 | " | " | 1 | " | 6 | 2 | 1 | " | " | " | " | 1 | 15 | " | | |
| Sultanpet | 1 | 4 | " | " | 1 | " | 4 | 1 | 6 | " | " | " | " | 2 | 10 | " | | |
| Tumkur | 12 | 48 | " | " | 9 | 3 | 14 | 43 | 5 | " | 4 | 8 | " | 3 | 3 | " | | |
| Tiptur | 6 | 30 | " | " | 3 | 2 | 9 | 9 | 4 | 6 | 1 | " | " | 9 | 11 | 6 | | |
| Yelkad | 4 | 16 | " | " | 2 | 2 | 10 | 6 | 14 | " | 1 | " | " | 8 | 2 | " | | |
| Yedatore | 5 | 20 | " | " | 3 | 2 | 5 | 5 | 2 | 6 | 1 | " | " | 13 | 13 | 6 | | |
| Total | 213 | 852 | " | " | 108 | 105 | " | 343 | 12 | " | 52 | 8 | " | 464 | 8 | 6 | | |
| | | | | | | | Deduct amount paid in excess in three cases | | | | | | | 8 | 12 | 6 | | |
| | | | | | | | | | | | | | | 455 | 12 | " | | |

"Copy."

Lof W. Hill
Commissioner

H. Rykie
Secretary

Coorg Chief Commissioner's Office

No. 1260
C. 478

Camp Impore 10th November 1883.

55 C

From,

Major A. Wylie C.S.I.
Secretary to the
Chief Commissioner of Coorg

To,

The Commissioner of Coorg.

Sir.

With reference to your letter No. 80, dated 13th October 1883 addressed to the Judicial Commissioner of Coorg, on the subject of the proposal to return to parties in Coorg the batta paid by them for execution in Impore of warrants issued under Act XIII of 1859, in cases in which the accused persons have not been arrested, I am directed by the Chief Commissioner to inquire what batta fee is now sent-

sent to Madras Districts when warrants are issued from Coorg or the Wilgeris. It appears from the Correspondence before the Chief Commissioner that the Madras Districts, refund the hatta fee sent to them, if the warrants forwarded to them are not executed. I am to inquire if this is the case, and whether the fee is uniform for all Districts in Madras, or whether it varies with the distance.

I have &c

(Signed) H. Wylie
Secretary.

---

Coorg Commissioners Office
Dated 26th November 1863.

No. 643/265

Sir,

The Commissioner of Coorg.

&c.

The Secretary to the Chief Commissioner of Coorg.

Sir

Prisoners apprehended in Coorg on Madras warrants under the Act.

I have &c.

(Signed) W. Hill

Commissioner.

---

Coorg District Magistrate's Court.

No. 914/250 Dated Virajendrapett. 19th November 1883.

From,

The District Magistrate of Coorg.

To,

The Commissioner of Coorg.

Sir,

With reference to your docket dated 17th instant. No. 602-251 inquiring what fee is sent to Madras Districts when warrants are issued under Act. XIII of 1859, I have the honor to state that Rs 4 is the batta sent

Sir,

With reference to your letter No. 1260-478, of the 10th November 1883, enquiring what batta fees now sent to the Districts in Madras when warrants are issued under the Breach of Contract Act XIII of 1859, I have the honor to submit Copy of letter dated 19th November 1883, No. 914-250 received from the District Magistrate of Coorg reporting that a batta fee of Rs 4-- is sent to the Districts in the Presidency, irrespective of the distance, for the execution of warrants issued under the Act and that the batta or its balance is returned if unexpended.

2. Only the cost of dieting Prisoners is charged in the Case of

sent to the Districts in the Madras Presidency for execution of ex warrants issued under the said Act. The batta or its balance is returned, if unexpended, to the Courts in Coorg. The fee is uniform for all districts in Madras irrespective of the distance.

The enclosures to the docket under reply are herewith returned.

I have &c

(Signed) H. M. S. Magrath

"Copy" District Magistrate

(Signed) W. Hill

Commissioner.

"Copies"

H. Wyllie

Secretary.

WH

1884

57

The Compiler
Mysore Gazette.

Dy 26 March.
Despd ---->
Circ: No
No. 342-21-41-1

Regarding fees to be charged for executing in Mysore warrants issued from or under the Breach of Contract act.

26 March 1884

(51)

No 342

Circular

In supercession of the Existing orders on the subject the Dewan directs that in future a fee of Rs three be charged for Executing the first warrant that may be issued from Court under the D. C. Courts Act.

The second & succeeding warrants will be executed free of all charge in cases in which the first warrants remain Executed

By Order
Dewan

To Tampiles

(General Serial No. 31.)

1884.

*From* Q

*To* The Ch. Comm of Corp

56

*Dated* 27 March

*Despatched* —u—

*Received* 21-4-84

**Enclosures No.** 1

*General No.* 6489
*No.* 334

Intimating that a Notice will be published regarding the fees to be charged for executing in Cork warrants issued by Coroners under the Breach of Contract Act.

Dy 27 March 1884.

(56)

No 6489
334

Chief Commissioner
To The Resident & of Coorg

Sir,

I have the honor to acknowledge the receipt of your office letter No 1520/276 of 10th June last on the subject of fees charged by the Mysore Govt for executing Coorg warrants issued under the Breach of Contract Act:

I find from the correspce enclosed in the letter under acknowt that the Govt Commr & the Commr of Coorg are both of the opinion that the existing rate is far too high and that it is more liberal than what is levied in the Madras Presidy where the fee of Rs 2 per is levied as in Mysore, it is returned when it is not the case here, where the

warrant is not executed.

It is recommended therefore recommended that a sum of Rs three may be fixed as the fee for the first warrant and no charge for the second warrant in cases where the first is not executed.

His Highness's Joint has fully considered the question and tho it is still of the opinion that the existing fee is by no means an extravagant demand, it will not press the point further and ~~accordingly~~ I have accordingly issued the necessary notification which will be published in the Joint Gazette, reducing the fee to Rupees three & directing fees to be charged for the second & succeeding warrants. I have the honor to forward for your information a copy of the said notification.

I am
Sir
Your most obedient
Servant

(General Serial No. 31.)

1886

2396.

To Chief Secy

Submitted for orders.

1. A warrant was received for execution by the T. Rocks Sub Dn Magistrate from the Dn Magte of Coorg under Sec. 2 of Act XIII of 1859 - the Breach of Contract Act.

2. The S. Dn Magistrate demanded the usual fee of Rs 3 - under provisions of Schedule No: 3 & 2 of 26th March 84 - Schedule - Govt. No.

3. Dn Magte of Coorg contends that warrants issued by the Coorg Magistracy under Sec: 2 for execution in Coorg and in order to arrest & commit to prison the accused for disobedience of the Court's order directing him to work - are exempted from the payment of the usual fee.

4. The Govt. also takes the view and relies on No: 2291 of 12th June 1886.

5. By this order "the arrangements made in C.C.S No: 8761/12 of 21st Jany 87 regulating the execution of Criml. processes issued by Courts in the Madras Presy. and Coorg free of cost are made applicable to processes issued by Criml. Courts in Coorg & shall apply to warrants or other processes issued under Sec: 2 of Act - XIII of 1859 for the apprehension of accused parties who may have failed to comply with the orders of a Magte issued under that Sec: Last."

6. C.C.S 8761/12 of 21st Jany 87 Govt. No.

7. No: 2291/149 of 12th June 1886 Govt. forwarded.

8. No: 3420 of 26th March 1884 Schedule No: 2 Court Fees Exemptions - The above Exemption does not include a Warrant (Criminal) issued under Sec: 2 of Act - XIII of 1859 for the apprehension of accused parties who may have failed to comply with the orders of a Magte issued under that Sec: Last.

Enclosures No. 1

General No. 1164

No. 178

Forwarding copy of a letter from the Govt. of Coorg representing that the Officer in charge of the Tunnel Rocks Sub Dn demanded a fee of Rs 3/ for the execution of a warrant issued by the Dn Magte in Coorg.

Sec: 2 Act XIII of 1859 -

Govt. No. 2291 -

1-7-86.

No. 1184/178

COORG CHIEF COMMISSIONER'S OFFICE,

the 24th June 1886.

56

FROM

THE SECRETARY TO THE CHIEF COMMISSIONER OF COORG.

Refer
28/6/86

To

The Dewan of Mysore

SIR,

I am directed by the Chief Commissioner to forward the enclosed Copy of Letter No. 22/10 dated the 8th April 1886, from the Commissioner of Coorg representing that the Officer in charge of the French Rocks Sub. Division demanded a fee of ~~Rs~~ 3 for the execution of a warrant issued by the District Magistrate in Coorg under section 2 of the Breach of Contract Act (XIII of 1859), for the arrest of one Kapini Maistry

2. It will be noticed that

* With enclosures

papers put up

P.B.
29/6

that the officer in charge of the
French Rocks Sub-Division has
remarked "that your proceed-
"ings No. 342 dated the 26th March
"1884 made no difference between
"a warrant issued to secure
"accused's attendance, and one
"issued in order to commit him
"to prison, and that in either
"case the accused has to be
"arrested within the Mysore
"Province and sent over to Coorg."
But I am to observe that in
the correspondence with the
Judicial Commissioner of Coorg
in 1883, copies of which were for-
warded to you with letter
No. 1520/275 dated 10th January
1884 from this office, Mr. Lyall
particularly pointed out that
warrants issued under section
2 of the Breach of Contract Act

Act were issued free in accordance with the order No. 7291/149 of 12th January 1880 of the Chief Commissioner of Mysore and Coorg, and that therefore they were not affected by the reference then made; and Mr. Lyall believes that you so understood the matter in your order No. 342 of the 26th March 1884. I am therefore to say that the Chief Commissioner will be obliged if you will be so good as to make it known to all the Magistrates in His Highness's Government that the order of the Chief Commissioner of Mysore and Coorg No. 7291/149 dated the 12th January 1880 is still in force.

I have the honor to be
Sir,
Your most Obedient Servant

L. A. Fraser
Secretary

M.

No 22/10

Coorg Commissioner's office

Dated 8th April 1886

58

From

The Commissioner of Coorg.

To,

The Secretary to the

Chief Commissioner of Coorg

Bangalore

Sir,

In forwarding for the Chief Commissioner's orders a Copy of letter No 996/248 of the 25th March last, with its enclosure in original, received from the District Magistrate of Coorg, regarding the levy of fees for the execution, in Mysore, of warrants of arrest issued under section 2 of Act XIII of 1859, I have the honor to state that the view taken by Mr Weir, that no fees are recoverable on such warrants when issued for disobedience of

of Court's order, is apparently supported by the order passed in the Chief Commissioner's proceedings dated 12th January 1880 No. 291/149. The precise scope of that order might however be made more clear by a reference to the Judicial Commissioner's letter of 5th December 1879 No. 3071/370 quoted in the proceedings.

2. The issue of a second warrant, ought, I conceive, to be hardly necessary if under section 3 of Act XIII of 1859, security is taken from the Defendant for the due performance of the Court's order

I have &c

Signed) T. G. Clarke

Commissioner

---

No.

No 996
248

Coorg District Magistrates Court
Mercara dated 24th March 886

From

The District Magistrate
of Coorg

To,

The Commissioner of Coorg

Sir,

I have the honor to forward herewith copies of a recent correspondence between this Court and the Sub. Divisional Officer of French Rocks, and to request that if you think proper, the matter in issue might be brought to the notice of the Resident at Mysore in view to its settlement

2. The question simply is this, are warrants issued by the Coorg Magistracy under section 2 Act XIII of 1859 for

execution in Mysore and in order to arrest and commit to prison the accused for disobedience of the Court's order directing him to work, exempted from the payment of the usual fee of Rs 3 or not?

3. I would point out that such warrants were expressly exempted by order of the late Chief Commissioner, Mysore and Coorg, dated January 12th 1880. Again when the same matter came under discussion after the rendition, the late Chief Commissioner Mr Lyall in his letter dated August 29th 1883, to the then Judicial Commissioner stated (vide para 4) that he understood that this exemption still continued. I presume that the Dewan of Mysore was

was furnished with a copy of this letter and acquiesced in the view taken by Mr. Lyall

4. If you consider I am right in this contention I would suggest that the matter be brought to the notice of the Inyoni Durban and they be requested to issue orders on the subject to the Magistracy of the Province.

I have &c

(signed) Charles J. Weir

District Magistrate Eshowe

---

No. 699 French Rocks Sub. Dist. Office

25th February 1886.

Sir,

The District Magistrate

Eshowe

Sir,

Sir,

In reply to your docket No. 813/605 dated 25th January last I have the honor to state that the first warrant issued by you against Kapini Maistry having been duly executed, and returned to you, I believe that the warrant subsequently issued by you, for the arrest of the same man, requires a fresh fee of 3 Rs for its execution, as under the Dewan's Notification No. 342 dated the 26th March 1884, "the second and succeeding warrants, will be executed free of all charge, in cases in which the first warrants remain un executed. I beg to point out that the Notification makes no difference between a warrant issued to secure accused's attend-

-ance,

and one issued in order to Com-
mit him to prison. In either
case the accused has to be
arrested within the Mysore
Province, and sent over to
Coorg; the labor involved
in executing the warrants, being
the same in both cases.

I have &c

(Signed) B. Krumalachar

Asst. Commissioner

1885/86

To,

The Sub-Divisional Officer

French Rocks

Dated 25th January 1886

No. 813/605

His docket dated 6th January
1886 No. 607 requesting that the
prescribed of Rs 3/ may be
forwarded for the arrest of
the

the accused in the case of (W.S. Sulivan ~~vs~~ Kapuni

58

Has the honor to point out that the warrant was one which was not issued to secure accused's attendance, but in order to commit him to prison for disobedience of the Court's order directing him to work

Requests to be informed if bail is required in such cases.

(signed) Charles J Weir
District Magistrate.

"Copies"

W Fraser
Secretary

4

63

Proceedings of the Dewan of Mysore.

"B"

Read –

(1). Late Chief Commissioner's Proceedings no $\frac{8761}{J.12}$ dt 21st January 1879

(2). Chief Commissioner's Proceedings no $\frac{7291}{J\,149}$ dt 12th January 1880.

(3) Dewan's Notification no 342 of the 26th March 1884.

Paint. in extenso.

---

Order thereon: Camp no 1234-41 Mysore 16 Novr 1886.

The attention of all Magistrates in Mysore will be drawn to the orders contained in the late Chief Commissioner's Proceedings no $\frac{7291}{J.149}$ dated 12th January 1880.. These orders are still in force, and under them "warrants "or other processes issued under "section 2 of Act XIII of 1859 for the "apprehension of accused parties "who may have failed to comply "with an order of a Magistrate

"issued under that Section of Act"
must be executed in Mysore free
of cost in accordance with arrange-
-ments made in late Chief Commissioner's
order no $\frac{8761}{J\,12}$ of 21st January 1879,
relative to the execution of Criminal
processes issued by Courts in the
Madras Presidency, & afterwards
extended to Processes issued by
Courts in Coorg by Order no $\frac{7291}{J.149}$
dated 12th January 1880

2. Warrants issued by Majistrates
in the Madras Presidency or Coorg
under Act XIII of 1859, other than
under Section 2 of that Act, must
as heretofore be accompanied
by a fee of Rs 4 for each person
whose arrest & delivery is required,
for defraying all charges incurred
within Mysore. Where any such
warrant remains unexecuted,
a second or succeeding warrant
for the arrest of the same person
will

will be executed in Mysore free of charge.

Chief Secretary.

To

All District Magistrates for information, guidance and communication to all Magistrates subordinate to them.

12 copies, D. Asst ~~with letter~~

1886. J

Judicial

Draft Proceedings

to be printed -

Dated ~~25~~ 16 November 86

~~[illegible]~~

~~218~~

Camp No 1234-41

Reg
23-11-86

Relative to the execution in Mysore of Warrants or other Processes issued by British Courts under Act XIII of 1859.

1886.

# GOVERNMENT OF MYSORE.

JUDICIAL.

PROCEEDINGS.

*Dated 16th November* 1886.

Camp No. 1234.
41.

Relative to the execution in Mysore of warrants or other processes issued by British Courts under Act XIII of 1859.

Mysore Govt. Press, Bangalore.—8-12-86.—8(

(General Serial No. 30.)

1886.

From

The Secretary to the Dewan of Mysore.

To

The Secretary to the Chief Comr. Coorg

Dated 19 Novr 86

Despatched

Received

Enclosures No. 12

General No.

C No. 1242.

Sir,

Adverting to your letter No. 1184 dated 24 June last, I am directed to forward, for the information of the Chief Commr, × Copy of Denard's Proceedings of 16th Instant making it known to all the Magistrates in the Province that the orders of the late Chief Commr of Mysore & Coorg No. 7291 dated 12 Jany 1860 are still

× write 11 spare copies.

in force and that warrants or other processes issued by Town Magistrates under Sec 2 of Act XIII of 1859 must be executed in Mysore free of charge.

Chief Secretary

General Serial No. 20.)

1886.

From

To The Chief Secretary to the Dewan of Mysore.

Dated 14 December 1886

Despatched

Received

Enclosures None

General No. 2356 } 1886
No. 491

Regarding instructions whether the order regarding the execution in Mysore of warrants issued by British Courts under act 13 of 1859 is to be taken as raising the fee from Rs 3 to Rs 4 &c.

Circulate an Amendment Read for "Rupees four" in line 6 Page "Rupees three"

No 2356
491.

Dated Camp Hale-Narsipur,
14th December 1886.

From,

T. Anandarow Esquire B.A.
Deputy Commissioner,
Kaspur District.

To

The Chief Secretary to the
Dewan of Mysore

Sir,

With reference to Dewan's proceedings Camp no: 1234-41 Dated 16th Ultimo regarding the execution fee in Mysore, of warrants issued by British Courts under Act XIII of 1859, I have the honor to request instructions whether the order is to be taken as raising the fee from Rs 3 prescribed in Notification no: 342 Dated 26th March 1884, to Rs 4. Rupees 3 has been the rate heretofore in force, and as the first of the Proceedings adverted to does not appear to be to raise the rate, it is feared that "4" may be a printer's mistake for "3" On some Warrants that have just come up Rs 3 alone are being levied.—

I have the honor to be,
Sir,
Your most obedient servant
T. Anandarow
Deputy Commissioner

Ludhiana: Traders
Ref
21-1-87

(General Serial No. 31.)

75-98-

188 7 873

NEW N C

From The Secretary to the Chief Commissioner

To

63

Dated 27 January 1887

Despatched

Received

Enclosures No.

General No. 96
No. 1786

Regarding whether Rupees 4/- in the 2nd paragraph of Secretary's Proceedings No 1234-41 of 16th November 86, is not a clerical error, the amount should apparently be Rs 2/-

Under Rule 8 of Jammu is annexed & Rs three in this Sec.

Sd/-
Asst

No. 96 — 1786.

COORG CHIEF COMMISSIONER'S OFFICE,

the 17th January 1887.

63

FROM

THE SECRETARY TO THE CHIEF COMMISSIONER OF COORG.

To

The Dewan of Mysore.

SIR,

Refec 18/1/87 and Submitted 19.1.87

With reference to your office letter No. 1242 dated the 19th November 1886, forwarding for the Chief Commissioner's information copies of your Proceedings No. 1234-41 dated the 16th Idem relative to the Execution of warrants or other processes in Mysore, I am directed to inquire whether "Rs: 4" in the 2nd paragraph of the Proceedings is not a clerical error; the amount should apparently be "Rs: 3"

I have the honor to be,
Sir,
Your most obedient Servant,

Secretary.

(General Serial No. 51.)

1887.

From Political

To

64

Read 2nd February.

Despatched

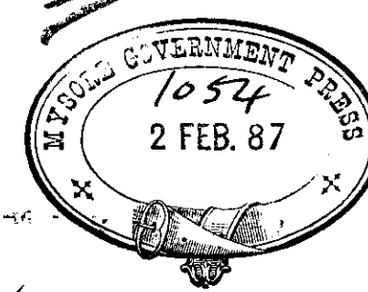
Received

Enclosures No.

General No. 7198-7205

No. 225.

From the Govt of the Punjab




Secretariat Office

80 Copies

Erratum in Proc. No

1234/41 dy 16 November 1885.

Erratum.

In paragraph 2 of the ~~4~~ line 3 of the Dewan's Proceedings No 1234/41 dated 16 November 1886 for the word and figure "Rupees four" read "Rupees three".

[illegible] Ch Secy.

To the Dist: Magistrate of Hansi with ref. to his letter of the 14 Dec. 1886.
Other Dist: Magistrates in Mysore.

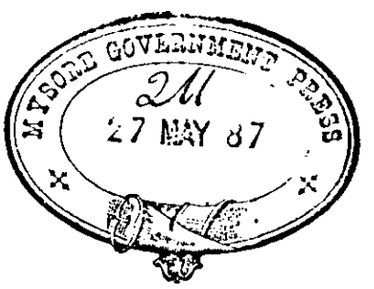
1887

Judicial

4 February

No 7

704




Secretariat Branch

80 copies

Erratum in Proceedings

No 1234/41 Dt 16-11-86.

Office of the Dewan
of Mysore.

No. 7274/704. Bangalore, 4th Feb'y/87.

To,

The Secretary to the
Chief Commissioner
of Coorg.

Sir,

With reference to your letter No: 96/1786 of the 17th ultimo, I am directed to say that "Rupees 4" in para 2 of this Office Proceedings No: 1234/41 dated 16th November 1886, is a clerical error, and that "Rupees three" is the fee. A copy of an Erratum issued, is enclosed.

I have the honor to be,
Sir,
Your most obedient Servant,
for R. Vijayendra Rao.
Chief Secretary.

(65)

OFFICE OF THE DEWÂN OF MYSORE.

No. 7274—704. *Bangalore 4th February* 1887.

The Secretary to the Chief Commissioner of Coorg.

SIR,

With reference to your letter No. 96—1786 of the 17th ultimo, I am directed to say that "Rupees 4" in para 2 of this Office Proceedings No. 1234—41, dated 16th November 1886, is a clerical error and that "Rupees three" is the fee. A copy of an Erratum issued, is enclosed.

I have the honor to be,

SIR,

Your most obedient servant,

*Chief Secretary.*

1887.

# GOVERNMENT OF MYSORE.

JUDICIAL.

PROCEEDINGS.

*Dated 4th February* 1887.

No. 7274.
704.

Erratum in Proceedings No. 1234—41, dated 16th November 1886.

Mysore Govt. Press, Bangalore.—4-6-87.—80.

(General Serial No. 20). 1807.

10557

1 FEB 751

DEWAN

From The Asst to the Resident in Coorg

To

(66)

Dated 14 Feby 1891

Despatched

Received 19/2/91

Enclosures No.

General No. 24 80 N

No. 216

Forwarding for inspection a letter from the District Magistrate of Nilgiris requesting that the Mysore Durbar may be moved to issue a Notification drawing the attention of all subordinate magistrates in the province to proceedings reducing the execution fee on warrants to Rs 3/-

Draft Proceedings & draft letter to Asst Resident Subd. PSK 19/2

GR 11-2-91

District Magistrates Office
Nilgiris Cotacamund

No. 79. 4th February 1891

(60)

From

C. F. MacCartie Esqre.
District Magistrate
Nilgiris.

To

The Assistant Resident in Mysore
Bangalore.

Sir,

I have the honor to request that you will be good enough to move the Mysore Durbar to issue a notification drawing the attention of all Subordinate Magistrates in the province to the marginally noted proceedings reducing the execution fee on warrants to Rs: 8, as it is reported that warrants under Act XIII of 1859 issued by the Gudalur Sub Magistrate are constantly returned

Proceedings of the Dewan No. 7198-7205/225 dated 2d. February 1887 and No. 1234-41 dated 16th November 1886.

returned for want of higher fees.

I have &c.

(Signed) A. F. MacCarthy
District Magistrate.

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The Resident's Office
Bangalore 14th February 1891.

No. 480/91.6

Copy of the above is forwarded to the Dewan of Mysore for favour of necessary action.

L. S. Newmarch
Assistant to the Resident.

H.L.

GOVERNMENT TREASURE

67

Enclose for information
a copy of the marginal No 13020-B 46-1891
cited Proceedings
issued by ~~the Deputy~~ the Lo. Asst. to the Resident
Durban on the subject. Dispatch
D/ 19 February 1912

I have &c.

&c.

Ag
Jr Chief Sec.

2 Asst Offs 1/11.88

A

No 13019/512 of 19-2-91/21

From

B 86.4-78-6768

The Asst Resident
in Mysore.

Sir,

With reference to your No 480 - 91.6 of the 14th instant; forwarding a copy of a letter from the District Magistrate of Nilgiris, regarding the fee to be levied in respect of warrants issued by British Magistrates under Act XIII of 1859 (Criminal Breaches of Contract) for execution in Mysore, I am directed to forward

not accompanied by a fee of Rs 4. The Proceedings of Govt dated 16th Novr 1886, No 1234-41, read with Proceedings No 7198-7205/225 of the 2nd Febry 1887, render it clear that the fee, where such is leviable, is Rs 3 only. These Proceedings have been duly communicated to all Magistrates in Mysore & their attention is again drawn to the orders contained in them, so that there may be no needless objection & delay in executing the warrants that may be sent to them.

Under Sec's

To All District Magistrates, for information & guidance, & for communication to such Magts subdte to them.

W.88

Proceedings

Read

L.S. 1-78 / Letter ~~from the District~~

No. 79 dated 4th Feby 1891 from the District Magistrate of Nilgiris to the Assistant to the Resident in Mysore, forwarded with Assistant Resident's No. 480/91.6 of the 14th Feby 1891.

Order thereon.

The letter read above brings to notice that in some instances warrants issued by British Magts under Act XIII of 1859 with the usual fee of Rs 3, are returned by ~~Mysore~~ Magistrates in Mysore on the ground that they are

In 13020-78/278 14-2-91

(61)

*Proceedings of the Government of His Highness the Maharaja of Mysore, (Judicial),—dated 19th February* 1891.

READ :—

Letter No. 79, dated 4th February 1891, from the District Magistrate of Nilgiris, to the Assistant to the Resident in Mysore, forwarded with Assistant Resident's No. 480—91-6 of the 14th February 1891.

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No 13020-7—278, DATED BANGALORE, 19TH FEBRUARY 1891.

ORDER THEREON.—The letter read above brings to notice that in some instances warrants issued by British Magistrates under Act XIII of 1859 with the usual fee of Rs. 3 are returned by Magistrates in Mysore, on the ground that they are not accompanied by a fee of Rs. 4. The Proceedings of Government, dated 16th November 1886, Camp No. 1234—41, read with Proceedings No. 7198-7205—225 of the 2nd February 1887 render it clear that the fee, where it is leviable, is Rs. 3 only. These Proceedings have been duly communicated to all Magistrates in Mysore and their attention is again drawn to the orders contained in them, so that there may be no needless objection and delay in executing the warrants that may be sent to them.

T. ANANDA ROW,
*Chief Secretary.*

To—All District Magistrates in Mysore for information and guidance and for communication to all Magistrates subordinate to them. } with 4 Spare copies 20 to Prep

Exd.—B. G. R.

Draft

1891.

# GOVERNMENT OF MYSORE.

JUDICIAL.

PROCEEDINGS.

*Dated* 19*th February* 1891.

No. 13020-7. / 278.

Drawing the attention of all District Magistrates to the orders contained in certain Government Proceedings regarding the execution in Mysore of warrants issued by British Magistrates.

Mysore Govt. Central Press, Bangalore.—24-2-91.—80.

(General Serial No. 30.)

1892.

(70)

*From*

*The Chief Secretary*
*to the Dewan of Mysore.*

*To*

Rey no 111

*The Secretary*
*to Government*
*Legislative Department*

*Dated* 22nd
*Despatched* 24th } August 1892
*Received*

69.

86.1-79

**Enclosures No.**

*General No.* 3624
*J. F. No.* 66-92

Drawing attention to the Dewan's reply to the representation of the Northern Mysore Planter's Association in regard to the working of Act XVII of 1859.

References to be marked.

1892

To STATE

(70)

The Legislative Secretary

Dated 22 Aug 1892
Despr 24"

No 3024
J. 766-92

Reg no 111

The attention of the Legis: Secy is drawn to the Dewan's reply to the representation of the Northern Bungsar Planters' Association (subject no 37) with regard to the working of act XIII of 1859, with the remark that needful action may be taken, unless it has already been taken, on the lines of the Dewan's reply.

BO

W. H. Read
Chf Secy

(General Serial No. 30.)

189 .

*From*

*The Chief Secretary*
*to the Dewan of Mysore.*

*To*

*Dated*

*Despatched*

*Received*

**Enclosures No.**

*General No.*
*No.*

References to be marked.